



Arlington Conservation Commission

Date: Thursday, May 16, 2024

Time: 7:00 PM

Location: Conducted by Remote Participation.

Please register in advance for this meeting. Reference materials, instructions, and access information for this specific meeting will be available 48 hours prior to the meeting on the Commission's agenda and minutes page. This meeting will be conducted in a remote format consistent with Chapter 2 of the Acts of 2023, which further extends certain COVID-19 measures regarding remote participation in public meetings until March 31, 2025. Please note: Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law. This agenda includes those matters which can be reasonably anticipated to be discussed at the meeting.

Agenda

1. Administrative
 - a. 1. Review of Meeting Minutes.
 - i. December 21, 2023
 - ii. February 1, 2024
 - iii. April 18, 2024
 - iv. May 2, 2024
 - b. All correspondence is available to the public. For a full list, contact the Conservation Agent at concomm@town.arlington.ma.us.
 - c. Administrative Report.
2. Discussion
 - a. Water Bodies Working Group.
 - b. Tree Committee Update.
 - c. Parks & Recreation Commission Liaison (next meeting 5/28/24).
 - d. 34 Dudley Street Enforcement.
3. Hearings

DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 5/2/2024).

DEP #091-0356: Notice of Intent: Thorndike Place (Continued from 5/2/2024).

The Conservation Commission will hold a public hearing under the Wetlands Protection Act to consider a Notice of Intent for the construction of Thorndike Place, a multifamily development on Dorothy Road in Arlington.

DEP #091-0278: Amendment to Order of Conditions: 88 Coolidge Road (Continued from 5/2/2024).

DEP #091-0278: Amendment to Order of Conditions: 88 Coolidge Road (Continued from 5/2/2024). This public hearing will consider the peer review report for an amendment to an Order of Conditions for construction of a new house at 88 Coolidge Road in the Buffer Zone to a Bordering Vegetated Wetland.

DEP #091-0361: Notice of Intent: 29 Berkeley Street.

DEP #091-0361: Notice of Intent: 29 Berkeley Street.

The Conservation Commission will hold a public hearing to construct an addition to a single-family dwelling, patio, and associated site appurtenances at 29 Berkeley Street within the 100-foot Buffer Zone and Adjacent Upland Resource Area to Bordering Vegetated Wetlands.



Town of Arlington, Massachusetts

Correspondence Received.

Summary:

All correspondence is available to the public. For a full list, contact the Conservation Agent at concomm@town.arlington.ma.us.

ATTACHMENTS:

| Type | File Name | Description |
|--------------------|--|--|
| Reference Material | Correspondence_Received_-_Andy_Brody_-_Short_Street_Conservation_Land.pdf | Correspondence Received - Andy Brody - Short Street Conservation Land.pdf |
| Reference Material | Correspondence_Received_-_Beth_Melofchik_-_Artificial_Turf.pdf | Correspondence Received - Beth Melofchik - Artificial Turf.pdf |
| Reference Material | Correspondence_Received_-_Beth_Melofchik_-_PFAS.pdf | Correspondence Received - Beth Melofchik - PFAS.pdf |
| Reference Material | Correspondence_Received_-_Beth_Melofchik_-_Plastics.pdf | Correspondence Received - Beth Melofchik - Plastics.pdf |
| Reference Material | Correspondence_Received_-_Beth_Melofchik_-_Town_Meeting.pdf | Correspondence Received - Beth Melofchik - Town Meeting.pdf |
| Reference Material | Correspondence_Received_-_Jane_Morgan_-_AHS_Fields.pdf | Correspondence Received - Jane Morgan - AHS Fields.pdf |
| Reference Material | Correspondence_Received_-_Joshua_Zykorie_-_AHS_Fields.pdf | Correspondence Received - Joshua Zykorie - AHS Fields.pdf |
| Reference Material | Correspondence_Received_-_Mike_De_Lisi_-_AHS_Fields.pdf | Correspondence Received - Mike De Lisi - AHS Fields.pdf |
| Reference Material | Correspondence_Received_-_Mildene_Bradley_-_Mill_Brook_Debris_on_Brattle.pdf | Correspondence Received - Mildene Bradley - Mill Brook Debris on Brattle.pdf |
| Reference Material | Correspondence_Received_-_Mildene_Bradley_-_Mill_Brook_Debris_on_Central.pdf | Correspondence Received - Mildene Bradley - Mill Brook Debris on Central.pdf |
| Reference Material | Correspondence_Received_-_Roc_Hargrove_-_AHS_Fields.pdf | Correspondence Received - Roc Hargrove - AHS Fields.pdf |
| Reference Material | Correspondence_Received_-_Sandra_Rifai_-_AHS_Fields.pdf | Correspondence Received - Sandra Rifai - AHS Fields.pdf |
| Reference Material | Correspondence_Received_-_Stephen_Garvin_-_AHS_Fields.pdf | Correspondence Received - Stephen Garvin - AHS Fields.pdf |

Re: Town owned land next to my property

Andrew Brody <profbrody@gmail.com>

Wed 5/1/2024 8:46 PM

To: David Morgan <dmorgan@town.arlington.ma.us>

Cc: ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi David,

Thanks for your detailed and quick response! I didn't realize that this sort of thing had to go all the way to the state level. That certainly sounds a lot more complicated and expensive than I think any of us are willing to deal with, especially since we weren't really planning to do anything with the land. And there are probably many more pressing issues facing the state legislature! I'll talk it over with my neighbors, but I can't imagine they'd be up for this...

Thanks for getting back to me! This explains the process if we ever decide to take the leap...

-Andy

On Wed, May 1, 2024 at 16:07 David Morgan <dmorgan@town.arlington.ma.us> wrote:

Hi Andy,

Interesting question, thanks for getting in touch to ask. That parcel of land on Short Street is owned by the Conservation Commission, as you know, which makes it subject to [Article 97](#), the state constitutional amendment that protects open space. Among the requirements are finding and protecting suitable land as a replacement, which would be difficult in Arlington. I think a proposal to dispose of Town conservation land, whatever state it's in, would be met with strong public opposition and subject to considerable scrutiny. Article 97 also requires a 2/3 majority vote of the state Legislature, so it's a lengthy and costly process. The assessed value I see in our GIS records is \$76,000 and I rather doubt that the prospect of those funds would be persuasive in convincing the Town to embark on disposing of conservation land.

All of that said, land held by the Conservation Commission is often not of great conservation value. I've entertained the idea of disposing of certain parcels in the past, along with other Town colleagues. A sale is not automatically entirely out of the question, but more of an issue of what you and your neighbors are willing to stomach in terms of bureaucracy to accomplish what you're seeking. Then, of course, the Town would need to see eye-to-eye with you on the approach. So, after considering the above, please let me know if you'd like me to float the idea with the Conservation Commission.

Cheers,
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: Andrew Brody <profbrody@gmail.com>
Sent: Wednesday, May 1, 2024 3:34 PM
To: ConComm <ConComm@town.arlington.ma.us>
Subject: Town owned land next to my property

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

hi there,

I am a homeowner at 11 West St. here in Arlington Heights. There is a town property right next to me that I believe was intended to be a continuation of "Short Street," which would have almost connected West Street with Ely Rd. looking at the GIS map through the town website, it looks like the road mysteriously ends with a wedge shape about 15 feet short of West Street. When we arrived in the year 2000, access to Short Street was completely shut off at my neighbors driveway with a tall retaining wall and also a chain-link fence, so guess you could say that Short street was a lot shorter...

Years ago when we moved in, I remember having a brief conversation with someone at the Conservation Commission about possibly buying that land or at least part of it so that we could put an addition on our house, but was told that it was not possible. In the intervening years, we built up instead of out, so it wasn't really necessary (in 2006). The property has always had scrubby trees, piles of stones and 60-year-old construction waste, and also some chain-link fences that divided it up between me and my two butting neighbors. It is more or less inaccessible to the public without scaling all those barriers, which is probably why the street was never continued.

In chatting with one of my neighbors recently, it occurred to me that maybe I should ask again, especially since I'm not sure I really was speaking with the right people anyway way back when 24 years ago! So, would it be possible for my neighbors and I to purchase the parts of this land which separates our houses? I'm guessing the town of Arlington owned it. I'm sure there would be all sorts of legal backflips, and figure out a reasonable price. from the towns perspective, you would make money on the sale, and then we would continue to pay taxes on that land. Also, since the land has been functionally inaccessible since the late 60s, I'm not sure that there would be any quantifiable loss of town amenities here.

Anyway, just wondering if it's possible at all.

Sincerely,

Andy Brody

EU Ban on Microplastics in AT Crumb Rubber Infill

Beth Melofchik <tankmadel@yahoo.com>

Wed 5/8/2024 11:16 AM

To: ConComm <ConComm@town.arlington.ma.us>; Susan Chapnick <s.chapnick@comcast.net>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

EU Ban on Microplastics includes Artificial Turf Crumb Rubber Infill

[The European Union Ban on Microplastics Includes Artificial Turf Crumb Rubber Infill: Other Nations Should Follow Suit](#)

**The European Union Ban on Microplastics
Includes Artificial Turf Crumb R...**

Colorado bans PFAS in AT

Beth Melofchik <tankmadel@yahoo.com>

Fri 5/3/2024 9:29 AM

To: ConComm <ConComm@town.arlington.ma.us>; Susan Chapnick <s.chapnick@comcast.net>

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FYI

Also by Jan. 1, 2026 — revised from an initially proposed July 1, 2024 — the installation of artificial turf containing PFAS will no longer be allowed “on any portion of property in the state,” per the law. Also by Jan. 1, 2026 — revised from an initially proposed July 1, 2024 — the installation of artificial turf containing PFAS will no longer be allowed “on any portion of property in the state,” per the law.

https://thehill.com/policy/energy-environment/4638949-colorado-forever-chemical-product-bans-strengthened-polis/#amp_tf=From%20%251%24s&aoh=17147395863388&csi=0&referrer=https%3A%2F%2Fwww.google.com&share=https%3A%2F%2Fthehill.com%2Fpolicy%2Fenergy-environment%2F4638949-colorado-forever-chemical-product-bans-strengthened-polis%2F

Polis signs bill strengthening Colorado's 'forever chemical' product bans

Colorado Gov. Jared Polis (D) signed into law Wednesday a bill that will result in sweeping bans of “forever che...

Plastics, no safe level for exposure to chemicals in plastics, Phil Landrigan

Beth Melofchik <tankmadel@yahoo.com>

Fri 5/3/2024 8:45 AM

To: ConComm <ConComm@town.arlington.ma.us>; Susan Chapnick <s.chapnick@comcast.net>

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David,

I watched the Beyond Plastics webinar with Phil Landrigan last night. 1 hour of the latest science, March 2024 paper in NE Journal of Medicine. There is no safe level of exposure to chemicals in plastic.

And, they found nano plastics in plaque during heart studies, so yes, it leads to heart disease, in addition to Autism, ADHD and lower IQs.

Dr. Landrigan made clear statements.

Minderoo-Monaco Commission paper is an outline of info presented

<https://annalsofglobalhealth.org/articles/10.5334/aogh.4056>

"

The main driver of these worsening harms is an almost exponential and still accelerating increase in global plastic production. Plastics' harms are further magnified by low rates of recovery and recycling and by the long persistence of plastic waste in the environment.

The thousands of chemicals in plastics—monomers, additives, processing agents, and non-intentionally added substances—include amongst their number known human carcinogens, endocrine disruptors, neurotoxicants, and persistent organic pollutants. These chemicals are responsible for many of plastics' known harms to human and planetary health. The chemicals leach out of plastics, enter the environment, cause pollution, and result in human exposure and disease. All efforts to reduce plastics' hazards must address the hazards of plastic-associated chemicals.

"

We need Broad Plastic Use Reduction. Beyond Plastics is gearing up to support a local, regional, national campaign.

Dr. Landrigan noted his work and the Global Plastics Treaty.

This was a webinar on the effects on human health. Likely you know where to find the studies impacting aquatic life and wetlands, rivers.....

The deleterious effects are colossal and the Science is now there to show this.

What about the chemicals in the plastic components in artificial turf? It is not just the tire crumb.

Beth Melofchik

Taken to task

Beth Melofchik <tankmadel@yahoo.com>

Tue 5/7/2024 7:16 AM

To: ConComm <ConComm@town.arlington.ma.us>; Chuck Tirone <ctirone@ci.reading.ma.us>; Susan Chapnick <s.chapnick@comcast.net>

Cc: Robin Bergman <robinorig@gmail.com>; Jordan Weinstein <jordan3weinstein@gmail.com>; Wynelle Evans <evco7@rcn.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear ConCom,

Last night at Town Meeting, during the Announcements part at the very beginning, Dave Levy complained about ConCom.

He appeared to take it as a personal affront and intentional that AHSBC was kept waiting as the 2nd hearing.

To those of us who attend the lengthy ConCom meetings it was surreal.

Remarks were also made about 'wins'.

Thought might be given to informing Town Meeting what the length of your meetings usually are and also what your remit is, the environment.

These blocks, factions in town who play a zero sum game are counter productive to addressing climate breakdown implications for the environment.

What are the landfilling plans for the obsolete AHS plastic and tire crumb field waste?

Beth Melofchik

Fwd: Comments Re: Request for Amendment to DEP #091-0323

Jane P. Morgan <janepmorgan@gmail.com>

Thu 5/2/2024 8:15 AM

To: ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning,

Please share these comments with the members of the Commission.

My name is Jane Morgan and I live at 172 Brattle Street. I am a member of the Arlington School Committee and a board member of the Arlington Soccer Club. I am writing to you as a private resident.

Arlington is a town run by excellent professional staff and an enormous number of dedicated and qualified volunteers. The rebuild of Arlington High School is the largest single project the town has ever taken on and it has followed a clear process. The need for a new high school, which includes interior academic spaces as well as exterior site spaces for both academic and recreational purposes was established by the School Committee. The project has been overseen and executed under the purview of the AHS Building Committee in collaboration with stakeholders including the Conservation Commission, the Tree Committee, the Public Memorials Committee and others.

This collaboration has resulted in the amended order that is before you tonight. By amending the order to include additional filtration and a sampling port the AHS Building Committee has addressed the concerns of the Conservation Commission and the project must now move forward.

Arlington's residents depend on our balanced system continuing to work as intended to meet our needs. Thank you for your work on this project and your time.

Best,

Jane Morgan



Extension of Permit Arlington High School Field Project

joshua zykorie <zykorie22@gmail.com>

Thu 5/2/2024 7:40 PM

To:ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To the Conservation Agent,

As a parent/coach with the Arlington Soccer Club for last 9 years and a parent of a High School Soccer Player, I urge the commission to approve the extension of the permit for the High School Field Project.

I write in support of the amendment to the Order of Conditions proposed by the Arlington High School Building Committee (AHSBC), and I urge the Conservation Commission to extend the Order of Conditions as requested until 2026, when the high school building project will be completed.

Thank you for your time and consideration,

Joshua Zykorie

**Arlington High School: Request for Amendment and Request for Extension to DEP
#091-0323: Order of Conditions: 869 Massachusetts Avenue**

Mike De Lisi <michael.s.delisi@gmail.com>

Thu 5/2/2024 7:15 AM

To:David Morgan <dmorgan@town.arlington.ma.us>;ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Conservation Commission Members:

I urge you to accept the amendment and extension to DEP #091-0323 Order of Conditions for the Arlington High School (AHS) rebuild to reach successful projection completion while fulfilling the Conservation Commission's (ConCom) decision to approve the project in prior years.

The AHS Building Committee (AHSBC) is demonstrating good faith in working to protect wetlands by requesting an amendment to mitigate environmental concerns. They have dutifully complied with the current Order of Conditions approved by ConCom. To delay this project further, let alone attempting to stop the project from proceeding, would be acting against ConCom's prior decisions. If the current ConCom is not willing to respect prior ConCom decisions, then why should the rest of our community?

I raise this because the Vice Chair of ConCom on 4/29/2024 shared with ConCom information about a Board of Health decision in Martha's Vineyard to ban Artificial Turf. Since the Vice Chair both spoke against and voted against artificial turf fields in the AHSBC project at the original ConCom public hearings for the AHSBC project years ago, this appears to be an attempt to bring in through the side door that which was unsuccessful coming through the front door: stopping the use of artificial turf at AHS as part of the AHSBC project. Arlington is not Martha's Vineyard. Our Town bodies, including ConCom, already voted on this project's use of artificial turf before. ConCom should now work towards successful completion of the AHSBC project, including the use of artificial turf.

Again, I urge you to respect past ConCom decisions, to work with other Town bodies operating in good faith such as the AHSBC, to successfully complete this ConCom approved project.

We have a dearth of playing surfaces for youth sports. Demand far outstrips supply. Our boys and girls 5/6 and 7/8 lacrosse teams have to drive to Belmont to practice because there are no currently available fields (grass or artificial turf) in Arlington for these four teams to practice on today. We don't need more data to know scarcity of active recreation space exists today.

Thank you to the AHSBC for including artificial turf athletic fields into the AHS project, which should relieve some pressure on the Town's existing fields. Thank you to ConCom for approving the use of artificial turf in the AHSBC project with an order of conditions to protect our wetlands.

We have to protect our wetlands. Nobody is questioning that. ConCom already decided it was possible to do this AND use artificial turf at the AHSBC project.

Do the right thing. Honor past ConCom decisions by helping the AHSBC reach a speedy, successful conclusion to their project to help bring needed new athletic surfaces for active recreation to the Town of Arlington.

Respectfully,

Mike De Lisi
20 Overlook Road

Mill Brook -- email #2

Mildene Bradley2 <Mildene_Bradley2@comcast.net>

Tue 5/7/2024 10:30 AM

To: ConComm <ConComm@town.arlington.ma.us>

 3 attachments (12 MB)

MillBrookBrattleStreet-1.jpg; MillBrookBrattleStreet-2.jpg; MillBrookBrattleStreet-3.jpg;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Conservation Committee,

As you'll see from the attached photo #1, there is a large piece of a metal fence that has fallen into Mill Brook. The location is in the brook adjacent to the Brattle Street 'bridge' that crosses Mill Brook. It's to the left of the bridge as you approach from Mass Avenue.

Photos #2 & #3 are there to provide a better sense of the location on Brattle Street.


/Mildene Bradley

Mill Brook -- email #1

Mildene Bradley2 <Mildene_Bradley2@comcast.net>

Tue 5/7/2024 10:30 AM

To: ConComm <ConComm@town.arlington.ma.us>

 3 attachments (14 MB)

MillBrookCentralStreet-1.jpg; MillBrookCentralStreet-2.jpg; MillBrookCentralStreet-3.jpg;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Conservation Committee,

During walks along the Minuteman Bikeway between Water Street and Mill Street, I've noticed debris in the back of a Central Street house. The debris looks to be in danger of being washed into the Brook during a heavy rain. Please see the attached photos.

I'm reporting this because the debris has been there for a while. Don't mean to be a 'snitch' on other citizens of Arlington, however, Mill Brook is a resource for all of us.

/Mildene Bradley

DEP #091-0323: Extension of Order of Conditions: 869 Massachusetts Avenue

Roc Hargrove <roc.hargrove@gmail.com>

Wed 5/1/2024 1:11 PM

To:ConComm <ConComm@town.arlington.ma.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Arlington Conservation Commission,

I am writing as a resident of Arlington and a parent of two student athletes to express my strong support for the Arlington High School Building Committee's (AHSBC) request to extend the Order of Conditions for synthetic turf fields at Arlington High School, as detailed in their recent memo dated March 20, 2024.

The AHSBC's commitment to environmental stewardship and the detailed planning to protect Mill Brook exemplify a well-considered approach. Using crumb rubber infill, which has been rigorously tested and found safe, reassures me of the safety and well-being of my children and their peers.

Significant changes at this stage could disrupt the project's timeline and budget, negatively affecting our children's sports experiences. Completing the project as planned is vital for maintaining the quality of our school's athletic facilities and the physical education of our students.

I urge you to grant the requested extension of the Order of Conditions, supporting the completion of this essential project for the benefit of all students.

Thank you for considering my perspective as a parent. I trust that the Commission will make a decision that benefits our community, our environment, and our children.

Sincerely,


Roc Hargrove
19 Chatham St.

AHS artificial turf field project

Sandra Rifai <sandra.rifai@gmail.com>

Thu 5/2/2024 11:29 AM

To: ConComm <ConComm@town.arlington.ma.us>; Craig Breen <breen.craig@gmail.com>

 1 attachments (185 KB)

AHS Turf Field Assessment and Recommendation.pdf;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Members of the Arlington Conservation Commission,

We are Arlington residents and parents to three children who love to play soccer. It has been brought to our attention that the AHS artificial turf field project has been delayed and is under review. We prepared the attached document (which recommends proceeding with the original AHS turf field plans) in response to the Artificial Turf Study Committee Report. Please feel free to share with the appropriate stakeholders and let us know if you have any questions. Thank you for your consideration.

Best wishes,
Sandra Rifai & Craig Breen

RE: AHSBC request for Amendment

Stephen Garvin <SGarvin@Samiotes.com>

Thu 5/2/2024 2:39 PM

To: David Morgan <dmorgan@town.arlington.ma.us>; Jeff Thielman <jthielman@arlington.k12.ma.us>; Nguyen, Sy <Sy.Nguyen@skanska.com>; Lori Cowles <lcowles@hmfh.com>; Arthur Duffy <aduffy@hmfh.com>; Kirsi Allison-Ampe <kallisonampe@arlington.k12.ma.us>; John LaMarre <JLaMarre@consigli.com>; Kirsi Allison-Ampe <kallisonampeSC@allisonampe.org>

 2 attachments (41 KB)

Proposed Special Conditions for Monitoring 6PPD-quinone_Chapnick AHSBC edits 5-2-24.docx; Proposed Special Conditions for Monitoring 6PPD-quinone_Chapnick AHSBC edits 5-2-24 minus redactions.docx;

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi David

The AHSBC wanted to provide some language suggestions (of what they feel comfortable with) for the draft conditions to help facilitate the discussion for an amendment being approved tonight. I have included versions in WORD with the team's comments in blue and one version w/ redactions removed that makes reading the proposed conditions much easier.

Steve

Stephen R. Garvin, PE, LEED AP
President / Principal

Samiotes Consultants, Inc.

Civil Engineers + Land Surveyors
20 A Street
Framingham, MA 01701-4102
t 508 877-6688 ext. 13
f 508 877-8349
e sgarvin@samiotes.com
w www.samiotes.com



A WBE & DBE Certified Company

From: David Morgan <dmorgan@town.arlington.ma.us>

Sent: Monday, April 29, 2024 11:58 AM

To: Jeff Thielman <jthielman@arlington.k12.ma.us>; Nguyen, Sy <Sy.Nguyen@skanska.com>; Lori Cowles <lcowles@hmfh.com>; Arthur Duffy <aduffy@hmfh.com>; Kirsi Allison-Ampe <kallisonampe@arlington.k12.ma.us>; John LaMarre <JLaMarre@consigli.com>; Kirsi Allison-Ampe <kallisonampeSC@allisonampe.org>; Stephen Garvin <SGarvin@Samiotes.com>

Subject: Fw: AHSBC request for Amendment

Hi all,
Please see below and attached in advance of Thursday's hearing.

Cheers,

David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development |
781.316.3012

Arlington values equity, diversity, and inclusion. We are committed to building a community where everyone is heard, respected, and protected.

From: Susan D. Chapnick <s.chapnick@comcast.net>
Sent: Monday, April 29, 2024 9:02 AM
To: David Morgan <dmorgan@town.arlington.ma.us>; Chuck Tirone <ctirone@ci.reading.ma.us>
Subject: AHSBC request for Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

David,
Please find attached my suggested special conditions for consideration at the hearing of the AHSBC request for Amendment. Please share with the AHSBC applicants prior to the meeting. Please also note that these draft conditions reference the Wilmington OOC that Nathaniel had previously communicated for this hearing - I trust that document was already shared with the AHSBC and posted as a communication for the hearing.

Thank you.
Susan
Susan D. Chapnick, M.S.
Vice Chair, Arlington Conservation Commission
s.chapnick@comcast.net



Town of Arlington, Massachusetts

Administrative Report.

Summary:

Administrative Report.

ATTACHMENTS:

| | Type | File Name | Description |
|---|--------------------|--|--|
| ▢ | Reference Material | MWRA_Summer_Street_Administrative_Approval.pdf | MWRA Summer Street Administrative Approval.pdf |
| ▢ | Reference Material | Spy_Pond_Trails_Day_2024_Administrative_Approval.pdf | Spy Pond Trails Day 2024 Administrative Approval.pdf |
| ▢ | Reference Material | Upper_Mystic_Lake_Dam_Administrative_Approval.pdf | Upper Mystic Lake Dam Administrative Approval.pdf |
| ▢ | Reference Material | 451_Mystic_Street_Monitoring_Report.pdf | 451 Mystic Street Monitoring Report.pdf |



TOWN OF ARLINGTON
MASSACHUSETTS
CONSERVATION COMMISSION

REQUEST FOR ADMINISTRATIVE REVIEW

The applicant shall submit to the Conservation Agent sufficient documentation for them to review and provide a final determination as to whether the proposed project can be approved without a permit application, and if so, how the project shall proceed. A request will not be considered complete without an accurate site plan.

Applicant/Representative

Name Colleen Rizzi

Mailing Address

2 Griffin Way
Address Line 1

Address Line 2

Chelsea, MA 02150
City/Town, State ZIP

Phone 857-331-2574

Email Colleen.Rizzi@mwra.com

Property Owner (if different)

Name

Mailing Address

Address Line 1

Address Line 2

City/Town, State ZIP

Phone

Email

Project Location Summer Street, Arlington, MA
Physical Address

N/A - Work will occur within MWRA easement
Assessor's Map and Lot Number

Project Description See attached.

As the property owner and/or the applicant for this proposed work,

- ☒ I grant permission for members of the Conservation Commission and/or its staff to undertake a site visit.
- ☒ I understand that an Administrative Approval, if granted, is valid for three years from the date of issuance and is revokable by the Conservation Agent or Commission.
- ☒ I certify that the project description included with this application and any supporting materials are accurate.

Signature Colleen C. R. _____
Applicant/Representative Property Owner (if different)

DETERMINATION

- ☐ The application was submitted with insufficient information so is denied.
- ☐ The project is not within the jurisdiction of the Conservation Commission.
- ☐ The project is not eligible for Administrative Review.
- ☐ The project is of a kind that is exempt from:
 - ☐ The Wetlands Protection Act
 - ☐ The Arlington Bylaw for Wetlands Protection
- ☐ The project will require permission from and review by the Arlington Conservation Commission members.
- ☒ The project is granted Administrative Approval.
 - ☐ Conditions apply and are attached.

Authorized by

[Signature]
Agent/Commissioner

05.07.24
Date

Please note: Projects authorized by administrative approval remain subject to the law and regulations under the Wetlands Protection Act and Arlington's Bylaw for Wetlands Protection. In accordance with those laws, the Conservation Agent may issue additional requirements to those reflected here. Per Town law, no construction debris or dumpsters can be placed in wetland areas and erosion/sedimentation controls may be needed, at the direction of the Conservation Agent.

CERTIFICATION

- ☐ The work regulated by the above Administrative Approval has been satisfactorily completed.
- ☐ Only portions of the approved work have been satisfactorily completed as detailed in the attached narrative.
- ☐ The approved work never commenced.

Reviewed by

Agent/Commissioner

Date

Please note: Projects authorized by administrative approval remain subject to the law and regulations under the Wetlands Protection Act and Arlington's Bylaw for Wetlands Protection. In accordance with those laws, the Conservation Agent may issue additional requirements to those reflected here. Per Town law, no construction debris or dumpsters can be placed in wetland areas and erosion/sedimentation controls may be needed, at the direction of the Conservation Agent.

Project Description

The Massachusetts Water Resources Authority (MWRA) plans to replace Section 63 with 24-inch water main in the Town of Arlington in order to improve delivery of drinking water to Arlington and neighboring communities. A portion of the proposed water main work is along Summer Street, as highlighted in yellow on the attached project schematic shown in Figure 1.

All construction activities will occur within the MWRA easement, with a portion in the Wetlands Buffer Zone. Please refer to the attached plan and profile drawing for pipeline alignment.

MWRA considers this work to be exempt from Wetlands Protection Act (WPA) review per 310 CMR 10.02(2)(b)1&2(i) due to the fact that the project involves the installation of subsurface utilities within existing paved roadways and the proposed work will be taking place entirely within the Buffer Zone to a Wetland Resource Area. MWRA is committed to minimizing any potential for impacts to the adjacent resource areas through the implementation of erosion and sediment controls (ESCs) around the perimeter of the work area, as shown in the attached project plans and specs.

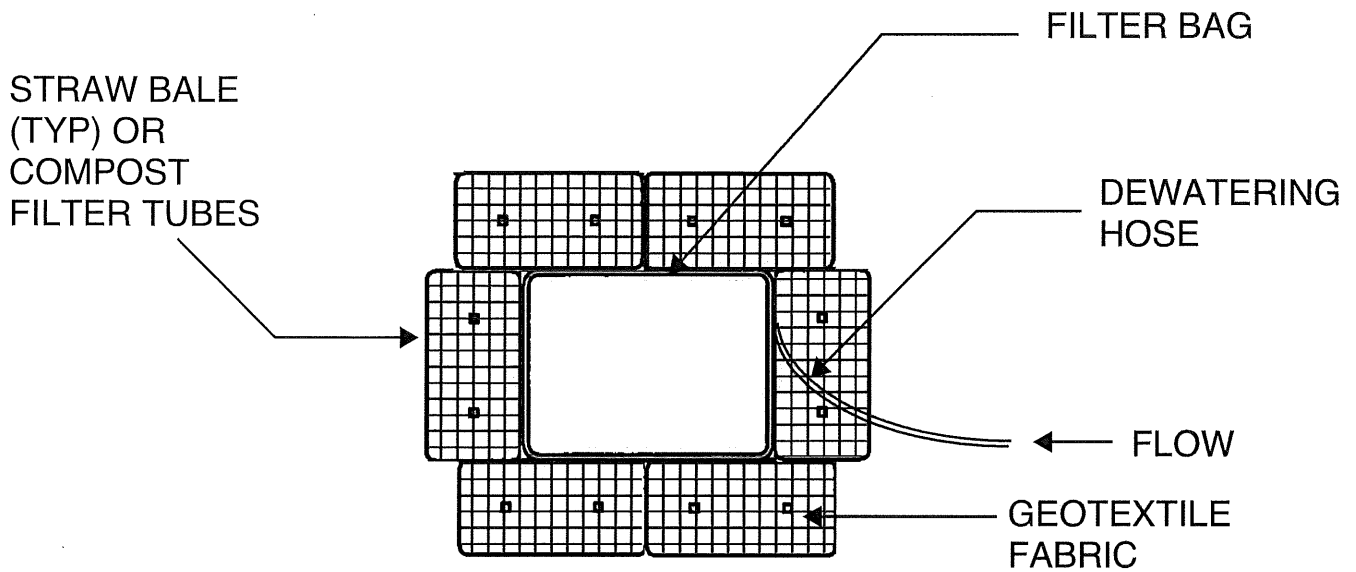
Best Management Practices

Erosion and sediment controls will be implemented by placing catch basin silt sacks in the project area. Restoration and Environmental Controls specifications and details are included in this submittal.

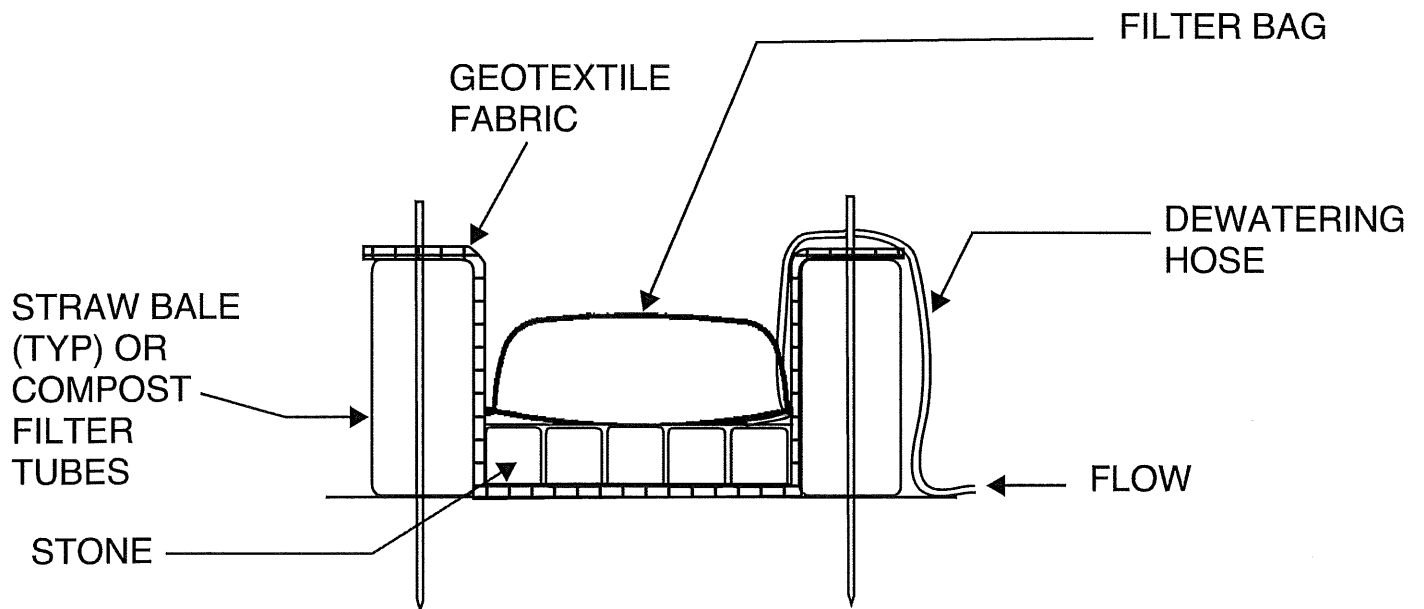
Attachments

Figure 1 – Northern Extra High Pressure Zone Improvements
Plan and Profile Drawing
Supporting Details and Specifications

DEWATERING CONTAINMENT AREA DETAIL

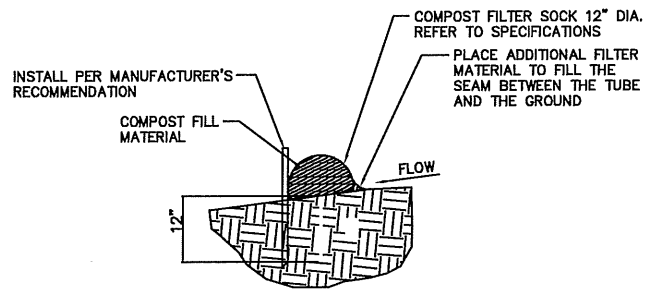


PLAN



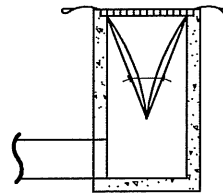
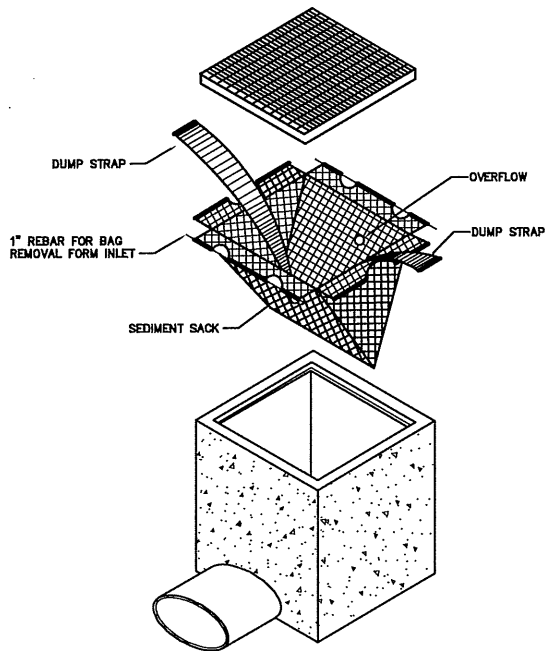
SECTION

ATTACHMENT 01567-A - COMPOST FILTER SOCK AND SILT SACK DETAIL

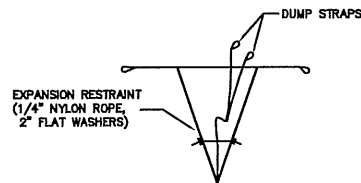


NOTE: EROSION CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH ORDER OF CONDITIONS.

SEDIMENTATION BARRIER



INSTALLATION DETAIL



BAG DETAIL

SEDIMENTATION BAG – SILTSACK

N.T.S.



| | | |
|-----------|----------------|-------------|
| DRAWN BY: | DATE: 1/1/2020 | SCALE: NONE |
|-----------|----------------|-------------|

Protection (DEP) regulations, policies and guidelines. Material removed shall be transported immediately to the place of disposal in machines or trucks that will not spill the material along the roadway. Any material falling on the roadway shall be removed at the Contractor's own expense. NOTE: The Contractor should be aware that many landfills may require testing and analysis of the material prior to accepting it for disposal at the facility. The Contractor shall be aware that in the event that the test results indicate a hazardous waste that cannot be land filled. The Contractor shall be responsible for all costs associated with adhering to special regulations regarding disposal of waste materials removed from silt sacks.

5. Contractor shall keep silt sack clear during construction and shall not remove them until pavement is in place and the seeded areas have taken root.
6. The Contractor shall be responsible for field measuring all existing and new drainage structure to ensure that the proper size sediment collection sack is provided for each structure.

3.07 SEDIMENTATION BASIN INSTALLATION AND MAINTENANCE

- A. The Contractor shall construct basins that are sized to prevent overtopping and shall provide filtering.
- B. The Contractor shall construct outlet area from all sedimentation basins to prevent erosion of the area surrounding the basin.
- C. The Contractor shall maintain sedimentation basins as follows: Inspect at least twice daily during dewatering operations. Provide any repairs immediately at no additional cost to the Authority. Clean clogged sections daily. Dispose of sediment deposits off-site in accordance with DEP regulations for disposal of surplus material

3.08 REMOVAL

- A. Erosion control measures shall be removed after disturbed areas are stabilized.
 1. Stabilized shall mean that the following is accomplished: trenches are backfilled and compacted and the finish surface materials installed including sod, pavement (bituminous concrete or cement concrete), warning track mix, or crushed stone surface treatment.

PART 4 ATTACHMENTS

4.01 ATTACHMENT A - Compost Filter Sock and Silt Sack Detail

**** END OF SECTION ****

3.04 HAZARDOUS MATERIAL AND WASTE CONTROL

- A. Disposal of volatile fluid wastes (such as hydraulic fluids, waste oil, gasoline, fuel or paint thinner) onto the ground, in storm or sanitary sewer systems or into streams or waterways shall not be permitted. In the event that any such waste is spilled, the Contractor shall immediately clean up the spillage and all contaminated soil, and dispose of the cleanings as hazardous waste material. If a spill occurs, the clean-up activities shall take precedence over normal construction activities in order that damage to the environment is minimized. Disposal of hazardous wastes shall be at no additional cost to the Authority.
- B. All hazardous materials containers shall be marked and their contents identified. All fuel oil, lubricant, gasoline, and hydraulic fluid containers shall be fixed in place on the transport vehicle when the vehicle is in motion.
- C. The Work shall be in compliance with all federal, state, and local laws with respect to hazardous materials and all clean-up and disposal operations shall comply with all applicable federal, state, and local statutes, regulations, ordinances and anti-pollution laws.

3.05 INSTALLATION

- A. Temporary Erosion and Sediment Control:
 - 1. At all sites that include excavation in non-paved areas compost filter socks shall be placed around the periphery of disturbed areas.
 - 2. Compost filter socks shall be entrenched and backfilled in unpaved areas.
 - 3. Compost filter socks shall be anchored by stakes.
 - 4. The gaps between filter socks shall be chinked (filled by wedging) to prevent water from escaping between the socks.

3.06 MAINTENANCE

- A. Maintain erosion and sediment control devices in accordance with the Stormwater Pollution Prevention Plan and Erosion and Sediment Control Plan as specified in Paragraph 1.06.A above and the following:
 - 1. The Contractor shall inspect all erosion and sediment controls daily, before an anticipated storm greater than 0.5 inches, and following a significant storm event (0.5 inches or greater total rainfall).
 - 2. Any compost filter sock or silt sack that becomes damaged shall be repaired or replaced immediately at no additional cost to the Authority.
 - 3. Remove built up debris and sediment where devices are used for catch basin protection, so that ponding or flooding does not occur.
 - 4. Dispose of sediment deposits off-site, in accordance with all applicable laws. All material removed from the silt sacks shall be properly handled and disposed of by the Contractor in accordance with all Massachusetts Department of Environmental

Contractor shall remove sediment deposits as necessary to maintain the filters in working condition.

- G. Filter socks shall be removed by the Contractor when site conditions are sufficiently stable to prevent surface erosion, and after receiving permission to do so from the Conservation Commission and the Authority. All sock fabric shall be cut and removed and disposed of off-site by the Contractor. As required by the Conservation Commission and the Authority, the Contractor may rake out and seed mulch material so that it is no greater than 2 inches in depth on soil substrate.

PART 3 EXECUTION

3.01 GENERAL

- A. In any roadway where storm water is directed from a work area to a catch basin, the Contractor shall install and maintain sediment controls (inlet protection filter fabric) to intercept sediment before it enters the storm drain line.
- B. All land-side areas disturbed during construction shall be stabilized upon completion of the installation of near-surface piping, conduit and structures.
 - 1. If disturbed soils will be left in place for longer than 60 days, a temporary cover of rye or other grass shall be established. If the season is not appropriate for plant growth, then exposed surfaces shall be stabilized by straw, snow fence, or other U.S. Natural Resources Conservation Service recommended methods.

3.02 PROTECTION OF LAND RESOURCES AND TREES

- A. The land resources within the project boundaries and outside the limits of Work performed under this Contract shall be restored to a condition after completion of construction that will reflect the existing condition prior to commencement of construction.
 - 1. Construction activities shall be confined to the limits of Work indicated on the Contract Drawings.
- B. The Contractor shall destroy and/or remove and properly dispose of all signs of temporary construction facilities such as Work areas, structures, foundations of temporary structures, stockpiles of excess or waste materials, or any other indication of construction. Excavation, filling, grading, loaming and planting will be required to restore the areas to conditions that will permit the growth of vegetation thereon. Finish grades shall conform to original grades. The Contractor will restore any areas used or damaged in the stockpiling operation at his own expense.

3.03 PROTECTION OF ENVIRONMENT

- A. The Contractor shall use Best Management Practices for erosion and sedimentation control and must adhere to them during all phases of construction to minimize potential impacts to the fisheries-resources.
- B. If waterway dewatering is required at any point during construction, heated or sediment laden water will not be allowed to enter the waterway directly.

3. All silt sacks must have an overflow to accommodate rain events.

2.02 EROSION CONTROL BLANKETS

A. Erosion control blankets shall meet the following requirements:

1. S1 - 100% straw fibers stitch-bonded to a biodegradable net on the top side. Suitable for low flow to moderate flow runoff conditions.
2. S2 - 100% straw fibers stitch-bonded to a biodegradable net on both top and bottom. Suitable for moderate flow runoff conditions.
3. SC2 – 70% straw, 30% coconut fiber, with biodegradable netting on both sides. For use on 2:1 – 1:1 slopes with heavy run-off conditions. Suitable for steep slide rehabilitation, drought area revegetation, long slope cut and fill, mine land, landfill reclamation, bridge abutments, ski runs, and channel shoulders.
4. C2 – 100% coconut fiber with biodegradable netting on both sides for use as a liner in channels with high velocity intermittent flows, center runs on grassed waterways, drainage ditch lining, and stream bank rehabilitation. Also used as an erosion control blanket on steep slopes and very harsh sites.

2.03 COMPOST FILTER SOCK

- A. The Contractor shall erect and maintain a linear, compost-filled sock for filtering suspended sediments from storm water flow (see Attachment A in this Section for detail).
- B. Material for the filter sock shall be compost meeting M1.06.0, except that no manure or bio-solids shall be used. In addition, no kiln-dried wood or construction debris shall be allowed. Compost shall pass through a 3-inch sieve.
- C. Socks for compost filters shall be a minimum of 12-inches maximum of 18-inches in diameter, and shall be jute mesh or approved biodegradable material. Additional socks shall be used at the requirements of the Authority.
- D. Stakes for anchors, if required, shall be nominal 2-inch by 2-inch by 3-foot-long stakes.
- E. Socks of compost may be filled on site or shipped. Socks shall be placed, filled and staked in place as required to ensure stability against water flows. All socks shall be tamped to ensure good contact with soil.
- F. The Contractor shall ensure that the filter socks function as intended at all times. Socks shall be inspected after each rainfall and at least daily during prolonged rainfall. The Contractor shall immediately correct deficiencies, including, but not limited, to washout, overtopping, clogging due to sediment, and erosion. The Contractor shall review the location of socks in areas where construction activity causes drainage runoff to ensure that the tubes are properly located for effectiveness. Where deficiencies exist, such as overtopping or wash-out, additional staking or compost material shall be installed as required by the Authority.

1. Sedimentation Basins shall provide retention time and filtration of the water as required by NPDES permit.
2. Dewatering Filter Bag for Sedimentation Basins
 - a. Bag shall be composed of a UV resistant, non-woven geotextile sewn into a completely enclosed bag. Seams shall be stitched with high strength double stitching.
 - b. Bags shall have a sewn-in sleeve to receive the pump discharge hose.
 - c. The minimum properties are below.

| Property | Test Method | Value |
|--|-------------|---------------|
| Weight (oz/yd ²) (typical) | ASTM D5261 | 10 oz. |
| Grab Tensile Strength (MD) | ASTM D4632 | 250 lbs. |
| Mullen Burst | ASTM D3786 | 350 psi |
| UV Resistance | ASTM D4355 | 70% @ 500 hrs |
| Flow Rate (Gal/Min/Ft ²) | ASTM D4491 | 70 |
| Filtering Efficiency | ASTM D5141 | 80% |

- d. Submittal shall include the peak flow rate generated from the dewatering pump in gallons per minute. Filter bag shall pass a minimum of two times the peak flow rates generated from the dewatering pump.

C. Silt Sacks

1. Contractor shall provide and maintain silt sack at all existing catch basins within the project limits and as required by the Engineer.
2. The silt sack shall be manufactured from a woven polypropylene fabric with an oil-absorbent pillow insert or made completely from an oil-absorbent fabric with a woven pillow insert that meets or exceeds the following specifications.

| PROPERTIES | TEST METHOD UNITS |
|-------------------------|------------------------------|
| Grab Tensile | Strength ASTM D-4632 265 LBS |
| Grab Tensile Elongation | ASTM D-4632 20% |
| Puncture | ASTM D-4833 135 LBS |
| Mullen Burst | ASTM D-3786 420 PS |
| Trapezoid Tear | ASTM D-4533 45 LBS |
| UV Resistance | ASTM D-4355 90% |
| Apparent Opening Size | ASTM D-4751 20 US SIEVE |
| Flow Rate | ASTM D-4491 200GAL/MIN/SQ FT |

agency through the Authority, or from the regulatory agency directly and after informing and with agreement of the Authority, immediately take corrective action. Such notice, when delivered to the Contractor, shall be deemed sufficient for the purpose. If the Contractor fails or refuses to comply promptly, the Authority may issue an order stopping all or part of the Work until satisfactory corrective action has been taken. No part of the time lost due to any such stop orders shall be made the subject of a claim for extension of time or for excess costs or damages by the Contractor unless it is later determined that the Contractor was in compliance.

1.06 SUBMITTALS

- A. Submit the following in accordance with Sections 01300 and 01060:
 - 1. Stormwater Pollution Prevention Plan (SWPPP) under the NPDES General Permit for Storm Water Discharges from Construction Activities
 - 2. Erosion and Sediment Control Plan.
 - 3. Product Data:
 - a. Manufacturer's data for erosion control blankets, compost filter socks and filter fabric.

1.07 IMPLEMENTATION

- A. Prior to commencement of the Work, meet with the Authority to develop mutual understandings relative to compliance with these provisions and administration of the environmental pollution control program.
- B. Remove temporary environmental control features when approved by the Authority and incorporate permanent control features into the Project at the earliest practicable time.

PART 2 PRODUCTS

2.01 MATERIALS

- A. Siltation Fabric
 - 1. Shall comply with the requirements of MassDOT Standard Specification Section M9.50.0, Table 1 – Type 1 Fabric.
 - 2. To be used as indicated for:
 - a. Temporary Sediment Trap
 - b. Catch Basin Treatment
 - c. Siltation Control Check Dams
- B. Sedimentation Basins

- C. SECTION 01300 – SUBMITTALS
- D. SECTION 01500 – TEMPORARY CONTROLS
- E. SECTION 01590 – TEMPORARY FIELD FACILITIES
- F. SECTION 02320 – EARTHWORK

1.03 REFERENCES

- A. The following standards form a part of these Specifications:
 - 1. American Society for Testing and Materials (ASTM)
 - a. ASTM D751 Standard Test Methods for Coated Fabrics
 - b. ASTM D5034 Standard Test Method for Breaking Strength and Elongation of Textile Fabrics (Grab Test)
 - c. ASTM D5035 Standard Test Method for Breaking Force and Elongation of Textile Fabrics (Strip Method)
 - d. ASTM D3786 Hydraulic Bursting Strength of Knitted Goods in Non-Woven Fabrics – Diaphragm Bursting Strength Tester Method
 - 2. Corps of Engineers (COE)
 - a. COE CW02215 Geotextiles Used as Filters

1.04 DEFINITIONS

- A. The term Professional Nurseryman, shall refer to a person certified by the Massachusetts Nursery and Landscape Association or equivalent with five years of landscaping experience involving landscaping similar to the landscaping to be furnished under this Contract.

1.05 NOTIFICATION TO CONSERVATION COMMISSIONS

- A. Notify the Authority 48 hours prior to commencement of work on site. The Authority will notify the Lexington Conservation Commission.
- B. Comply with all construction impact mitigation measures specified and indicated in the Order of Conditions.
- C. The Authority will notify the Contractor in writing of any non-compliance with the foregoing provisions or of any environmentally objectionable acts and corrective action to be taken. Federal, state or local agencies responsible for verification of certain aspects of the environmental protection requirements shall notify the Contractor in writing directly or through the Authority of any non-compliance with federal, state or local requirements. Inform the Authority immediately of any such notice received directly from federal, state or local agencies. After receipt of such notice from the Authority, or from the regulatory

SECTION 01567

GENERAL ENVIRONMENTAL CONTROLS

PART 1 GENERAL

1.01 SUMMARY

A. Section Includes

1. Furnishing and installing compost filter socks for sediment control.
2. Furnishing and installing siltation fabric in catch basins for sediment control.
3. Furnishing and installing a crushed stone pad at the entrance/exit to any staging areas for sediment control.
4. Furnishing and installing a dewatering system for sediment control.
5. Maintenance of erosion and sediment controls.
6. Furnishing of all physical plant, labor, equipment and materials and performing all operations in connection with the provision of general environmental controls.
7. Removal and disposal of erosion controls at project completion.
8. Furnishing labor, materials and equipment and performing work required for the prevention of environmental pollution in conformance with applicable laws and regulations, during and as the result of construction operations under this Contract. For the purpose of this Section, environmental pollution is defined as the presence of chemical, physical, or biological elements or agents which adversely affect human health or welfare; unfavorably alter ecological balances of importance to human life; affect other species of importance to man; or degrade the utility of the environment for aesthetic and/or recreational purposes.
9. Comply with all applicable federal, state and local laws and regulations concerning environmental pollution control and abatement.
10. Furnish and comply with permits in accordance with Section 01060 – Permits and Regulatory Requirements.
11. Implement and maintain dust control measures in accordance with Section 01562 – Dust Control.
12. Implement and maintain noise control measures in accordance with Section 01565 – Noise Control.

1.02 RELATED SECTIONS

A. SECTION 01200 – COORDINATION AND MEETINGS

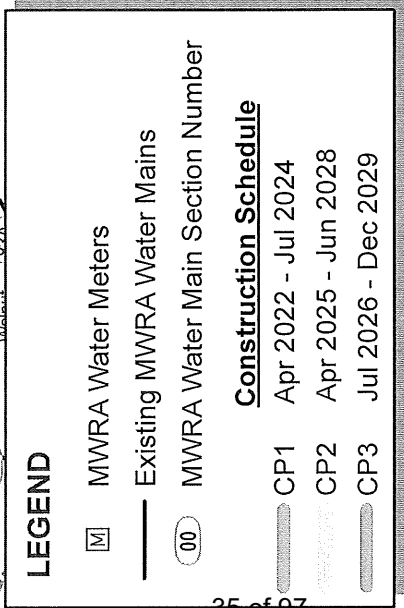
B. SECTION 01060 – PERMITS AND REGULATORY REQUIREMENTS

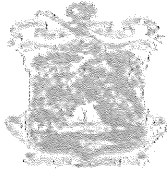
Sections 45 & 63
Contract No. 7725

01567-1

March 2024

FIGURE 1





TOWN OF ARLINGTON
MASSACHUSETTS
CONSERVATION COMMISSION

REQUEST FOR ADMINISTRATIVE REVIEW

The applicant shall submit to the Conservation Agent sufficient documentation for them to review and provide a final determination as to whether the proposed project can be approved without a permit application, and if so, how the project shall proceed. A request will not be considered complete without an accurate site plan.

Applicant/Representative

Name Brad Barber

Mailing Address

74 Spy Pond Pkwy
Address Line 1

Address Line 2

Arlington, MA 02474
City/Town, State ZIP

Phone 781-646-1744

Email bradb@shore.net

Project Location 11 Spy Pond Pkwy to Pleasant Street
Physical Address

Assessor's Map and Lot Number

Project Description

The Spy Pond Committee, in conjunction with Appalachian Mountain Club, Boy Scouts, and volunteers, is planning Spy Pond Trails Day 2024. The 18th Annual Trails Day will be Saturday May 11, 9:00 – 1:00 pm. An announcement is attached. This annual event maintains the path between Spy Pond and Rt. 2 from Lake Street to Pleasant Street. The path is popular for walking, fishing, bicycling, birding, and enjoying nature.. We pick up trash, remove invasives, encourage the use of stone steps, and improve vistas.

MassDOT is reviewing the permit for this work (4-2024-0214). United Site Service will supply a Porta-potty for the weekend. On Monday May 13, Republic Services will pick up trash and "Invasives" labelled trash bags.

As the property owner and/or the applicant for this proposed work,

☒ I grant permission for members of the Conservation Commission and/or its staff to undertake a site visit.

☒ I understand that an Administrative Approval, if granted, is valid for three years from the date of issuance and is revokable by the Conservation Agent or Commission.

☒ I certify that the project description included with this application and any supporting materials are accurate.

Signature

Applicant/Representative

Property Owner (if different)

DETERMINATION

- ☐ The application was submitted with insufficient information so is denied.
- ☐ The project is not within the jurisdiction of the Conservation Commission.
- ☐ The project is not eligible for Administrative Review.
- ☐ The project is of a kind that is exempt from:
 - ☐ The Wetlands Protection Act
 - ☐ The Arlington Bylaw for Wetlands Protection
- ☐ The project will require permission from and review by the Arlington Conservation Commission members.
- ☒ The project is granted Administrative Approval.
 - ☐ Conditions apply and are attached.

Please note: Projects authorized by administrative approval remain subject to the law and regulations under the Wetlands Protection Act and Arlington's Bylaw for Wetlands Protection. In accordance with those laws, the Conservation Agent may issue additional requirements to those reflected here. Per Town law, no construction debris or dumpsters can be placed in wetland areas and erosion/sedimentation controls may be needed, at the direction of the Conservation Agent.

Authorized by


Agent/Commissioner

Date

05.07.24

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CERTIFICATION

- ☐ The work regulated by the above Administrative Approval has been satisfactorily completed.
- ☐ Only portions of the approved work have been satisfactorily completed as detailed in the attached narrative.
- ☐ The approved work never commenced.

Reviewed by

Agent/Commissioner

Date

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TOWN OF ARLINGTON
MASSACHUSETTS
CONSERVATION COMMISSION

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Applicant/Representative

Name GZA GeoEnvironmental, Inc.
(Chad Cox, P.E.)

Mailing Address

249 Vanderbilt Ave.

Address Line 1

Address Line 2

Norwood, MA 02062

City/Town, State ZIP

Phone 781-760-6430

Email chad.cox@gza.com

Property Owner (if different)

Name Massachusetts Department of Conservation and Recreation (Mike Galvin)

Mailing Address

10 Park Plaza

Address Line 1

Suite 6620

Address Line 2

Boston, MA 02116-3978

City/Town, State ZIP

Phone 857-300-0866

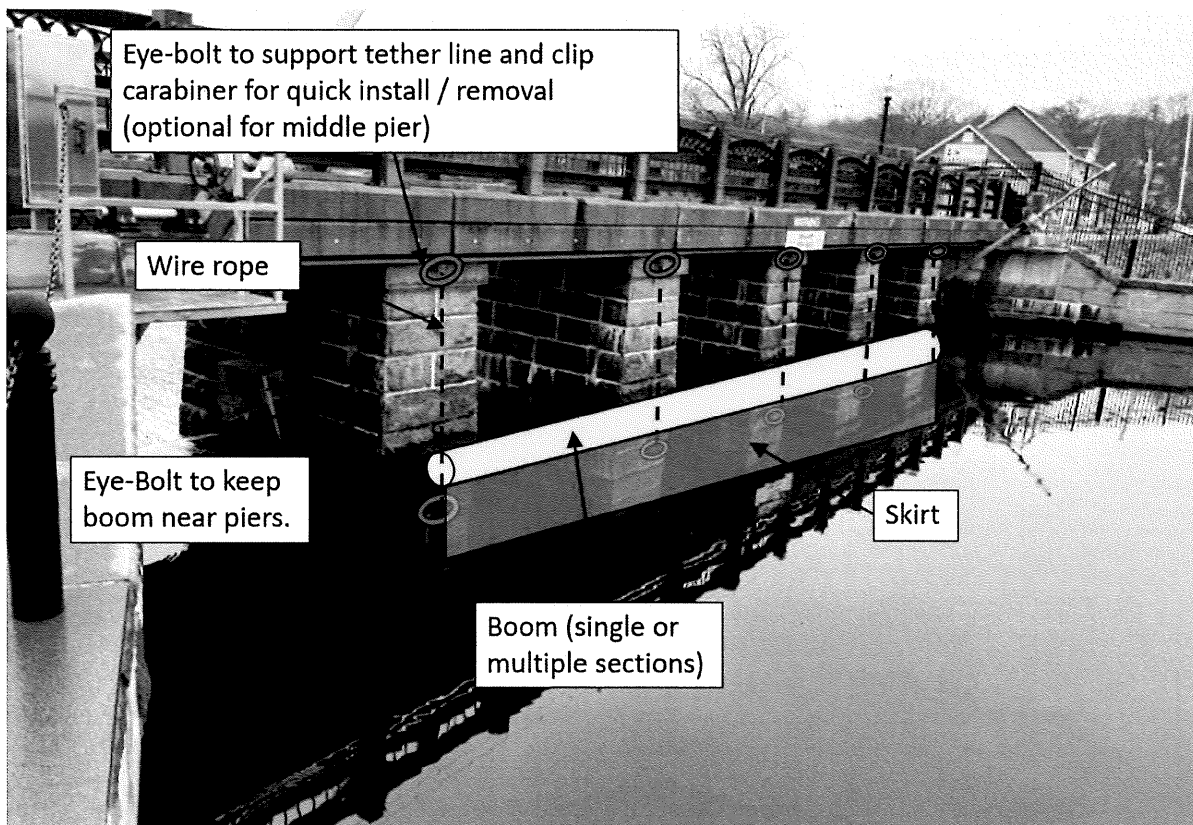
Email mike.galvin@mass.gov

Project Location

Near Lake Shore Drive
Physical Address

75 / 7-1A
Assessor's Map and Lot Number

Project Description: The proposed project is intended to assist in reducing the number of stranded downrunning fish passing over the spillway at the Upper Mystic Lake Dam. A floating boom with a ballasted fabric screen hanging below will be secured to the upstream face of the service spillway in the Lake. The screen will not touch the Lake bottom and all attachments will be to existing structures at the dam. No resource areas will be impacted. The intent of the boom and screen is to create a physical barrier that will reduce the chances of a fish passing over the fixed concrete ogee weirs in the center bays of the spillway during low flows and will serve to redirect fish to the left side crest gate which is designed to facilitate downstream fish passage. The floating boom will not interfere with the spillway's capacity to discharge flow during floods. See concept figure below:



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☒ I certify that the project description included with this application and any supporting materials are accurate.

Chad Cox

Michael Galvin

Signature

Applicant/Representative

Property Owner (if different)

DETERMINATION

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Date

05-07-24

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2023 Monitoring Report

451-455 Mystic Street
Arlington, MA

Prepared by: Parterre Ecological

Summary

In early December, we completed a native restoration planting at the property at 451-455 Mystic Street in Arlington. The project area lies at the eastern edge of the property along the shore of Mystic Lake. Various shrubs were installed on the northernmost indentation within the built rock wall. On the southern edge of the property, we installed a native seed mix along the upper embankment. Temporary fencing was installed around both the shrub planting and the seeded areas to protect from birds and other wildlife. Additionally, signage that states "Do Not Mow - Native Restoration Planting in Progress" was affixed to the fencing to ensure establishment.

Plants and seed species installed are as follows:

- Shrubs (15 total)
 - *Aronia melanocarpa* (Black Chokeberry) / (3) 3 gal container
 - *Ilex verticillata* (Winterberry) / (3) 3 gal container
 - *Clethra alnifolia* (Summersweet) / (3) 3 gal container
 - *Sambucus canadensis* (Elderberry) / (3) Live Stakes
 - *Cephalanthus occidentalis* (Buttonbush) / (3) Live Stakes
- Seeds (14 oz total)
 - Wildflowers
 - *Asclepias incarnata* (Swamp Milkweed)
 - *Asclepias tuberosa* (Butterfly Milkweed)
 - *Allium cernuum* (Nodding Pink Onion)
 - *Coreopsis lanceolata* (Lanceleaf Coreopsis)
 - *Symphyotrichum novae-angliae* (New England Aster)
 - *Baptisia alba* (White False Indigo)
 - *Eutrochium maculatum* (Joe Pye Weed)
 - *Eupatorium perfoliatum* (Common Boneset)
 - *Helenium autumnale* (Dogtooth Daisy)
 - *Heliopsis helianthoides* (Ox Eye Sunflower)

- *Iris shrevei* (Wild Iris)
- *Iris versicolor* (Blue Flag Iris)
- *Liatris pycnostachya* (Prairie Blazing Star)
- *Liatris spicata* (Dense Blazing Star)
- *Lobelia cardinalis* (Cardinal Flower)
- *Lobelia siphilitica* (Great Blue Lobelia)
- *Mimulus ringens* (Monkey Flower)
- *Monarda fistulosa* (Bergamot)
- *Parthenium integrifolium* (Wild Quinine)
- *Penstemon digitalis* (Smooth Penstemon)
- *Ratibida pinnata* (Yellow Coneflower)
- *Rudbeckia hirta* (Black Eyed Susan)
- *Rudbeckia laciniata* (Green Headed Coneflower)
- *Rudbeckia subtomentosa* (Sweet Black Eyed Susan)
- *Rudbeckia triloba* (Brown Eyed Susan)
- *Senna hebecarpa* (Wild Senna)
- *Solidago ohioensis* (Ohio Goldenrod)
- *Solidago rigida* (Stiff Goldenrod)
- *Verbena hastata* (Blue Vervain)
- *Vernonia fasciculata* (Ironweed)
- *Zizia aurea* (Golden Alexanders)
- Grasses, Sedges & Rushes
 - *Carex comosa* (Bottlebrush Sedge)
 - *Carex hystericina* (Porcupine Sedge)
 - *Carex stipata* (Awl Fruited Sedge)
 - *Carex vulpinoidea* (Fox Sedge)
 - *Elymus canadensis* (Canada Wild Rye)
 - *Elymus virginicus* (Virginia Wild Rye)
 - *Scirpus atrovirens* (Dark Green Bulrush)
 - *Scirpus cyperinus* (Woolgrass)

Project Photos







Town of Arlington, Massachusetts

DEP #091-0361: Notice of Intent: 29 Berkeley Street.

Summary:

DEP #091-0361: Notice of Intent: 29 Berkeley Street.

The Conservation Commission will hold a public hearing to construct an addition to a single-family dwelling, patio, and associated site appurtenances at 29 Berkeley Street within the 100-foot Buffer Zone and Adjacent Upland Resource Area to Bordering Vegetated Wetlands.

ATTACHMENTS:

| | Type | File Name | Description |
|---|--------------------|------------------------------------|------------------------------------|
| ▢ | Reference Material | 29_Berkeley_Street_NOI_Package.pdf | 29 Berkeley Street NOI Package.pdf |

Notice of Intent Application and Wetland Resource Area Analysis



May 1, 2024

Subject Property

29 Berkeley Street
Parcel ID: 111-2-29
Arlington, Massachusetts

Applicants and Property Owners

Cheri and Brendan Driscoll
37 Birch Drive
Concord, MA 01742

LEC Environmental Consultants, Inc.

380 Lowell Street
Suite 101
Wakefield, MA 01880
781-245-2500

www.lecenvironmental.com



May 1, 2024

Hand Delivery

Arlington Conservation Commission
Arlington Town Hall Annex
730 Massachusetts Avenue
Arlington, MA 02476

**Re: Notice of Intent Application and
Wetland Resource Area Analysis
29 Berkeley Street
Parcel ID: 111-2-29
Arlington, Massachusetts**

[LEC File #: DC&DI 24-128.04]

Dear Members of the Conservation Commission:

On behalf of the Applicants and Property Owners, Cheri and Brendan Driscoll, LEC Environmental Consultants, Inc., (LEC) is filing the enclosed Notice of Intent (NOI) Application and *Wetland Resource Area Analysis* with the Arlington Conservation Commission to construct an addition to a single-family dwelling and associated activities at 29 Berkeley Street in Arlington, Massachusetts. The proposed activities are located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands. The Applicants propose to implement erosion controls to minimize the potential for impacts to the resource areas during construction; reduce the amount of impervious surface on the property; and implement a Buffer Zone restoration plan to improve existing site conditions and promote climate resiliency.

LEC was retained to identify Wetland Resource Areas protectable under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40, the *Act*), its implementing Regulations (310 CMR 10.00, the *Act Regulations*), the *Town of Arlington Wetlands Protection Bylaw* (Article 8, the *Bylaw*), and its implementing *Wetlands Protection Regulations* (March 16, 2024, the *Bylaw Regulations*), and to prepare this NOI Application. The proposed conditions are depicted on the *Conservation Plan*, dated March 19, 2024, and prepared by Rober Survey PLS (Appendix B). LEC will prepare and submit a *Buffer Zone Restoration Plan* in advance of the public hearing.

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
Suite 1
Plymouth, MA 02360
508.746.9491

380 Lowell Street
Suite 101
Wakefield, MA 01880
781.245.2500

100 Grove Street
Suite 310
Worcester, MA 01605
508.753.3077

P. O. Box 590
Rindge, NH 03461
603.899.6726

680 Warren Avenue
Suite 3
East Providence, RI 02914
401.685.3109

49 of 97

PLYMOUTH, MA

WAKEFIELD, MA

WORCESTER, MA

RINDGE, NH

EAST PROVIDENCE, RI



Enclosed please find two checks made payable to the Town of Arlington in the amounts of Sixty-Seven Dollars and Fifty Cents (\$67.50) and Two Hundred Dollars (\$200.00) for the purpose of filing this Application under State and Local guidelines, respectively. Payment to the Commonwealth of Massachusetts in the amount of Forty-Two Dollars and Fifty Cents (\$42.50) has been processed via eDEP.

Thank you for your consideration of this Application. We look forward to meeting with you at the May 16, 2024, Public Hearing. Should you have any questions, please do not hesitate to contact me in our Wakefield office at 781-245-2500 or at rkirby@lecenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

A handwritten signature in black ink, appearing to read "Richard A. Kirby", is written over a light blue horizontal line.

Richard A. Kirby
Senior Wetland Scientist

A handwritten signature in black ink, appearing to read "Nicole M. Ferrara", is written over a light blue horizontal line.

Nicole M. Ferrara
Wetland Specialist

cc: DEP, Northeast Region
Scott Lynch
Cheri and Brendan Driscoll

rak: projects\24-128.02\NOIReport.doc

| | |
|-------|---|
| i. | WPA Form 3 – Notice of Intent |
| ii. | WPA Appendix B – Wetland Fee Transmittal Form |
| iii. | Local Filing Fee Form |
| iv. | Legal Notice Charge Authorization |
| v. | Affidavit of Service |
| vi. | Letter to Abutters |
| vii. | Abutter Notification Form |
| viii. | Certified List of Abutters |

Notice of Intent Report

| | | |
|-----------|---|-----------|
| 1. | Introduction | 1 |
| 2. | General Site Description | 1 |
| 2.1 | Natural Heritage and Endangered Species Program Designation | 3 |
| 2.2 | Floodplain Designation | 3 |
| 3. | Wetland Boundary Determination Methodology | 3 |
| 3.1 | Plant Species Identification | 4 |
| 3.1.1 | Identification of Wetland Indicator Species | 4 |
| 3.1.2 | Measurement of Relative Abundance | 4 |
| 3.1.3 | Measurement of Vegetative Distribution and Density | 5 |
| 3.2 | Evaluation of Edaphic Characteristics | 5 |
| 3.2.1 | General Soil Analysis | 5 |
| 3.2.2 | Soil Horizon Thickness and Depth | 5 |
| 3.2.3 | Soil Texture | 6 |
| 3.2.4 | Soil Color | 6 |
| 3.2.5 | Redoximorphic Features | 7 |
| 4. | Wetland Resource Areas | 7 |
| 4.1 | Bordering Vegetated Wetlands | 7 |
| 5. | Proposed Activities | 9 |
| 6. | Mitigation Measures | 10 |
| 6.1 | Erosion and Sedimentation Control | 10 |

| | | |
|-----------|---|-----------|
| 6.2 | Impervious Surface Reduction | 10 |
| 6.3 | Buffer Zone Restoration | 10 |
| 7. | Regulatory Performance Standards | 11 |
| 7.1 | General Climate Resiliency | 11 |
| 7.2 | Stormwater Management Compliance | 13 |
| 8. | Summary | 14 |

Literature Cited

Appendices

Appendix A

Locus Maps

Figure 1: USGS Topographic Quadrangle

Figure 2: FEMA Flood Insurance Rate Map

Figure 3: MassGIS Orthophoto & NHESP Estimated Habitat Map

Appendix B

Conservation Plan, dated March 19, 2024, prepared by Rober Survey



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

29 Berkeley Street

a. Street Address

Arlington

b. City/Town

02474

c. Zip Code

Latitude and Longitude:

42.43176 N

d. Latitude

-71.17986 W

e. Longitude

Assessor's ID: 111-2-29

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Cheri & Brendan

a. First Name

Driscoll

b. Last Name

Homeowners

c. Organization

37 Birch Drive

d. Street Address

Concord

e. City/Town

MA

f. State

01742

g. Zip Code

781-405-5584

h. Phone Number

N/A

i. Fax Number

cldriscoll@comcast.net

j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner

Same as Applicant

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Richard

a. First Name

Kirby

b. Last Name

LEC Environmental Consultants, inc.

c. Company

380 Lowell Street, Suite 101

d. Street Address

Wakefield

e. City/Town

MA

f. State

01880

g. Zip Code

781-245-2500

h. Phone Number

781-245-6677

i. Fax Number

rkirby@lecenvironmental.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$110.00

a. Total Fee Paid

\$42.50

b. State Fee Paid

\$67.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

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MassDEP File Number

Document Transaction Number

Arlington

City/Town

A. General Information (continued)

6. General Project Description:

The Applicants propose to construct an addition to a single family house and associated site apurtenances located within the 100-foot Buffer Zone to BVW. Erosion controls, a reduction of impervious area, and Buffer Zone restoration are proposed to mitigate for the proposed project.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Middlesex South

a. County

82540

c. Book

N/A

b. Certificate # (if registered land)

573

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- ☒ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

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MassDEP File Number

Document Transaction Number

Arlington

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|--|-------------------------------|
| a. <input type="checkbox"/> Bank | 1. linear feet | 2. linear feet |
| b. <input type="checkbox"/> Bordering Vegetated Wetland | 1. square feet | 2. square feet |
| c. <input type="checkbox"/> Land Under Waterbodies and Waterways | 1. square feet 3. cubic yards dredged | 2. square feet |

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|---|--|
| d. <input type="checkbox"/> Bordering Land Subject to Flooding | 1. square feet 3. cubic feet of flood storage lost | 2. square feet 4. cubic feet replaced |
| e. <input type="checkbox"/> Isolated Land Subject to Flooding | 1. square feet 2. cubic feet of flood storage lost | 3. cubic feet replaced |
| f. <input type="checkbox"/> Riverfront Area | 1. Name of Waterway (if available) - specify coastal or inland | |

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

| <u>Resource Area</u> | <u>Size of Proposed Alteration</u> | <u>Proposed Replacement (if any)</u> |
|---|---|--|
| a. <input type="checkbox"/> Designated Port Areas | Indicate size under Land Under the Ocean, below | |
| b. <input type="checkbox"/> Land Under the Ocean | 1. square feet | |
| | 2. cubic yards dredged | |
| c. <input type="checkbox"/> Barrier Beach | Indicate size under Coastal Beaches and/or Coastal Dunes below | |
| d. <input type="checkbox"/> Coastal Beaches | 1. square feet | 2. cubic yards beach nourishment |
| e. <input type="checkbox"/> Coastal Dunes | 1. square feet | 2. cubic yards dune nourishment |
| | <u>Size of Proposed Alteration</u> | <u>Proposed Replacement (if any)</u> |
| f. <input type="checkbox"/> Coastal Banks | 1. linear feet | |
| g. <input type="checkbox"/> Rocky Intertidal Shores | 1. square feet | |
| h. <input type="checkbox"/> Salt Marshes | 1. square feet | 2. sq ft restoration, rehab., creation |
| i. <input type="checkbox"/> Land Under Salt Ponds | 1. square feet | |
| | 2. cubic yards dredged | |
| j. <input type="checkbox"/> Land Containing Shellfish | 1. square feet | |
| k. <input type="checkbox"/> Fish Runs | Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above | |
| | 1. cubic yards dredged | |
| l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage | 1. square feet | |

4. ☐ Restoration/Enhancement

If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. ☐ Assessor's Map or right-of-way plan of site

2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. ☒ Not applicable – project is in inland resource area [Buffer Zone] only

- b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. ☐ Is this an aquaculture project?

- d. ☐ Yes ☒ No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Arlington

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
- b. ☒ No. Check why the project is exempt:
 1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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Arlington

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D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Conservation Plan

a. Plan Title

Rober Survey

Scott Lynch

b. Prepared By

c. Signed and Stamped by

March 19, 2024

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

4479

4/25/2024

2. Municipal Check Number

3. Check date

Paid via eDEP

4. State Check Number

5. Check date

Driscoll Contracting

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Town of Arlington Wetlands Protection Bylaw (Article 8)

MassDEP File Number

Document Transaction Number
Arlington

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

29 Berkeley Street

a. Street Address

Arlington

b. City/Town

Paid via eDEP

\$42.50

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Cheri and Brendan

a. First Name

Driscoll

b. Last Name

Homeowners

c. Organization

37 Birch Drive

d. Mailing Address

Concord

e. City/Town

MA

f. State

01742

g. Zip Code

781-405-5584

h. Phone Number

N/A

i. Fax Number

cbdriscoll@comcast.net

j. Email Address

3. Property Owner (if different):

Same As Applicants

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

| Step 1/Type of Activity | Step 2/Number of Activities | Step 3/Individual Activity Fee | Step 4/Subtotal Activity Fee |
|--|-----------------------------|--------------------------------|------------------------------|
| Category 1a: addition to a single family house | 1 | \$110.00 | \$110.00 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Step 5/Total Project Fee: | | | \$110.00 |

Step 6/Fee Payments:

| | |
|---------------------------------|--------------------------------------|
| Total Project Fee: | <u>\$110.00</u> |
| | a. Total Fee from Step 5 |
| State share of filing Fee: | <u>\$42.50</u> |
| | b. 1/2 Total Fee less \$12.50 |
| City/Town share of filling Fee: | <u>\$67.50</u> |
| | c. 1/2 Total Fee plus \$12.50 |

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Bylaw Filing Fees and Transmittal Form

Rules:

1. Fees are payable at the time of filing the application and are non-refundable.
2. Fees shall be calculated per schedule below.
3. Town, County, State, and Federal Projects are exempt from fees.
4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).

Fee Schedule (ACC approved 1/8/15):

| \$ | No./Area | Category |
|----------|--------------|--|
| | | (R1) RDA - \$150 local fee, no state fee |
| \$200.00 | | (N1) Minor Project - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain). |
| | | (N2) Single Family Dwelling - \$600 |
| | | (N3) Multiple Dwelling Structures - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding. |
| | | (N4) Commercial, Industrial, and Institutional Projects - \$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffer zone disturbed. |
| | | (N5) Subdivisions - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding. |
| | | (N6) Other Fees - copies, printouts; per public records law |
| | | (N7) Minor Project Change - \$50 |
| | | (N8) Work on Docks, Piers, Revetments, Dikes, etc - \$4 per linear foot |
| | | (N9) Resource Boundary Delineation (ANRAD) - \$1 per linear foot |
| | | (N10) Certificate of Compliance (COC or PCOC) - No charge if before expiration of Order, \$200 if after that date. |
| | | (N11) Amendments - \$300 or 50% of original local filing fee, whichever is less. |
| | | (N12) Extensions - |
| | | a. Single family dwelling or minor project - \$100. |
| | | b. Other - \$150. |
| | | (N13) Consultant Fee -per estimate from consultant |
| | TOTAL | \$200.00 |

Note: Submit this form along with the forms submitted for the ACT - the "Wetlands Filing Fee Calculations Worksheet," and the "Notice of Intent Fee Transmittal Form."

Legal Notice Charge Authorization

DATE: April 26, 2024

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on _____ for a public hearing with the Arlington Conservation Commission to review a project at the following location:
29 Berkeley Street _____

Thank you.

Signed: _____



Send bill to:

Brendan Driscoll _____ (Address)

37 Birch Drive _____

Concord, MA 01742 _____

(781) 405-5584 _____ (Phone)

Affidavit of Service

I, Sharon A. Sullivan, being duly sworn, do hereby state as follows:

On May 2, 2024, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

Construction of an addition to a single-family dwelling and installation of a patio, and associated activities at 29 Berkeley Street.

The form of the notification, and a list of the abutters to whom it was provided and their addresses, are attached to this Affidavit of Service.

Signed under the pains and penalties of perjury, this 2nd day of May 2024.

A handwritten signature in cursive script, reading "Sharon A. Sullivan", is written over a horizontal line.

Sharon A. Sullivan

Permitting Technician

May 2, 2024

CERTIFIED MAIL

«Name»

«Name2»

«Address»

«City», «State» «Zip»

Re: Notice of Intent Application
29 Berkeley Street
Assessor's Parcel ID: 111-2-29
Arlington, Massachusetts

[LEC File #: DC&DI\24-128.04]

Dear Abutter:

On behalf of the Applicants, Cheri and Brendan Driscoll, LEC Environmental Consultants, Inc. (LEC) has filed a Notice of Intent Application with the Arlington Conservation Commission to construct an addition to a single-family dwelling, install a patio, and conduct associated activities at 29 Berkeley Street. Portions of the proposed activities are located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands, as jurisdictional under the *Massachusetts Wetlands Protection Act* (the *Act*, M.G.L. c. 131, s. 40) and its implementing *Regulations* (the *Act Regulations*, 310 CMR 10.00), and the *Town of Arlington Wetlands Protection Bylaw* (Article 8, the *Bylaw*) and its *Regulations Pursuant to the Town of Arlington Regulations for Wetlands Protection* (the *Bylaw Regulations*).

The Notice of Intent Application and accompanying plans are available for review by contacting the Arlington Conservation Commission. The remote Public Hearing will be held on May 16, 2024 beginning at 7:00 p.m., in accordance with the provisions of the *Act*, *Act Regulations*, *Bylaw*, and *Bylaw Regulations*. Further information regarding this application will be published at least five (5) days in advance in *The Arlington Advocate*. Notice of the Public Hearing will also be posted at the Arlington Town Hall at least 48 hours in advance. Please check the Town's website and the Board/Committee's page for any updated information on the meeting.

Please do not hesitate to review the materials and/or attend the public hearing should you have questions or concerns about the proposed project.

Sincerely,

LEC Environmental Consultants, Inc.



Richard A. Kirby
 Senior Wetland Scientist

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
 Suite 1
 Plymouth, MA 02360
 508.746.9491

380 Lowell Street
 Suite 101
 Wakefield, MA 01880
 781.245.2500

100 Grove Street
 Suite 302
 Worcester, MA 01605
 508.753.3077

P.O. Box 590
 Rindge, NH 03461
 603.899.6726

680 Warren Avenue
 Suite 3
 East Providence, RI 02914
 401.685.3109 67 of 97

PLYMOUTH, MA

WAKEFIELD, MA

WORCESTER, MA

RINDGE, NH

EAST PROVIDENCE, RI

Abutter Notification

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act and the
Arlington Wetlands Protection Bylaw**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and the Arlington Wetlands Protection Bylaw, you are hereby notified of the following:

The Conservation Commission will hold a virtual public meeting using Zoom on Thursday, May 16, 2024, at 7:00 p.m. in accordance with the provisions of the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, and in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20 relating to the COVID-19 emergency, for a Notice of Intent Application from Cheri and Brendan Driscoll to construct an addition to a single-family dwelling, and install a patio and conduct associated activities within the 100-foot Buffer Zone to Bordering Vegetated Wetlands at 29 Berkeley Street (Assessor's Property Map 111-2-29). Please refer to the Commission's online meeting agenda for specific Zoom meeting access information.

A copy of the application and accompanying plans are available by request by contacting the Arlington Conservation Commission at 781-316-3012 or mmuszynski@town.arlington.ma.us. For more information, call the Applicant's representative, LEC Environmental Consultants, Inc., at 781-245-2500 or the Arlington Conservation Commission at 781-316-3229, or the DEP Northeast Regional Office at 978-694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

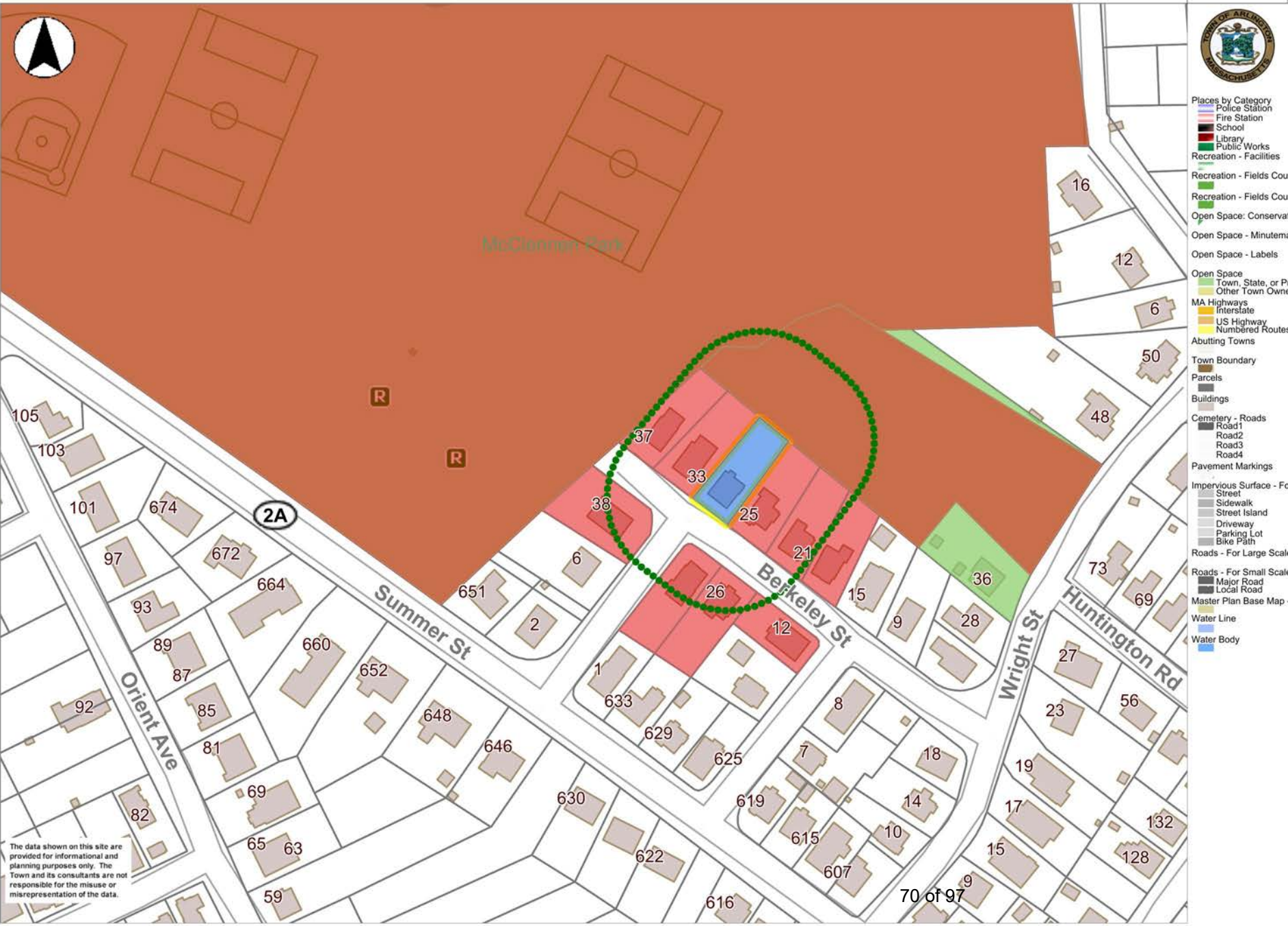
**CERTIFIED ABUTTERS LIST****Date: April 23, 2024****Subject Property Location: 29 BERKELEY ST Arlington, MA****Subject Parcel ID: 111-2-29****Search Distance: 100 Feet**

| Parcel ID | Property Location | Owner 1 | Owner 2 | Mailing Address | City/Town | State | Zip |
|-----------------|-----------------------|-------------------------------------|--------------------------------|--------------------|----------------|-----------|--------------|
| 109-2-14 | 0-LOT SUMMER ST | TOWN OF ARLINGTON | | 730 MASS AVE | ARLINGTON | MA | 02476 |
| 111-2-21 | 0-LOT WRIGHT ST | TOWN OF ARLINGTON | | 730 MASS AVE | ARLINGTON | MA | 02476 |
| 111-2-26 | 17 BERKELEY ST | BARRANCO CHARLENE F/TRUSTEE | LANDRY CARALYEA M TRUSTEE | 17 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-2-27 | 21 BERKELEY ST | PISARSKI JONATHAN & EMILY | | 21 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-2-28 | 25 BERKELEY ST | POTAPOV VLADIMIR | SHMUSHKOVICH TAISIA | 25 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-2-29 | 29 BERKELEY ST | DRISCOLL CHERI & BRENDAN | | 37 BIRCH DR | CONCORD | MA | 01742 |
| 111-2-30 | 33 BERKELEY ST | WESINGER ROSEMARIE/TRS | WESINGER BERKELEY ST TRUST | 33 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-2-31 | 37 BERKELEY ST | ANDERSON AMY H & JOHN C/ TRS | 37 BERKELEY STREET REALTY TRUS | 37 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-3-1 | 38 BERKELEY ST | HUYNH JENNY LAN & | CHANG STEPHEN | 38 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-4-1.A | 30 BERKELEY ST | SCHWARTZ KAREN M | WELLNITZ ANDREW B | 30 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-4-2.A | 26 BERKELEY ST | GRAY ERICKA B/ETAL | GOSLING IAN | 26 BERKELEY ST | ARLINGTON | MA | 02474 |
| 111-4-3 | 12 HAROLD ST | PARADISO JEFF D & KIM/ TRUSTEES | PARADISO LIVING TRUST | 12 HAROLD ST | ARLINGTON | MA | 02474 |
| 112-5-20 | 0-LOT REED ST | TOWN OF ARLINGTON | | 730 MASS AVE | ARLINGTON | MA | 02476 |

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters to subject parcel within 100 feet.



Town of Arlington
Office of the Board of Assessors
730 Massachusetts Ave
Arlington, MA 02476
phone: 781.316.3050
email: assessors@town.arlington.ma.us



- Places by Category
- Police Station
 - Fire Station
 - School
 - Library
 - Public Works
 - Recreation - Facilities
- Recreation - Fields Courts
- Recreation - Fields Courts
- Open Space: Conservation
- Open Space - Minuteman
- Open Space - Labels
- Open Space
- Town, State, or Private
 - Other Town Owned
- MA Highways
- Interstate
 - US Highway
 - Numbered Routes
- Abutting Towns
- Town Boundary
- Parcels
- Buildings
- Cemetery - Roads
- Road1
 - Road2
 - Road3
 - Road4
- Pavement Markings
- Impervious Surface - For B
- Street
 - Sidewalk
 - Street Island
 - Driveway
 - Parking Lot
 - Bike Path
- Roads - For Large Scale (F
- Roads - For Small Scale (F
- Major Road
 - Local Road
- Master Plan Base Map - M
- Water Line
- Water Body

0 200 400 ft

Printed on 04/23/2024 at 08:13 AM



**Notice of Intent Application
& Wetland Resource Area Analysis**

29 Berkeley Street
Assessor's Parcel ID: 111-2-29
Arlington, Massachusetts

May 1, 2024

1. Introduction

On behalf of the Applicants and Property Owners, Cheri and Brendan Driscoll, LEC Environmental Consultants, Inc., (LEC) is filing the enclosed Notice of Intent (NOI) Application and *Wetland Resource Area Analysis* with the Arlington Conservation Commission under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40, the *Act*), its implementing Regulations (310 CMR 10.00, the *Act Regulations*), the *Town of Arlington Wetlands Protection Bylaw* (Article 8, the *Bylaw*), and its implementing *Wetlands Protection Regulations* (March 16, 2024, the *Bylaw Regulations*). The Applicants are filing this NOI Application to construct an addition to a single-family house, install a patio, and conduct associated activities within the 100-foot Buffer Zone to Bordering Vegetated Wetlands (BVW).

As part of this filing, the Applicants propose to implement erosion controls to minimize the potential for impacts to the resource areas during construction; reduce the amount of impervious surface; and implement a Buffer Zone restoration plan to improve existing site conditions and promote climate resiliency. The proposed conditions are depicted in the *Conservation Plan* dated March 19, 2024, and prepared by Rober Survey PLS (Appendix B). LEC will prepare and submit a *Buffer Zone Restoration Plan* in advance of the public hearing.

2. General Site Description

The 5,877± square foot property is located south of Thesda Street, west of Summit Street, east of the Lexington-Arlington town boundary, and north of Summer Street, within the northwestern portion of Arlington. More specifically, the property is located directly south and southeast of McClennen Park, and between the Arthur Road and Harold Street intersections. Town-owned forested and parkland associated with McClennen Park occurs along the northern property boundary and continues offsite to the northeast. Residential development associated with Berkeley Street, Arthur Road, Harold Street, and Wright Street occurs to the west, south, and east of the property. A Bordering Vegetated Wetland (BVW) occurs along the northern property boundary and extends offsite to the north.



Southwesterly view of rear of dwelling, basement-level garage, and paved/concrete driveway.

The property contains a 2-story, single-family dwelling along Berkeley Street, with a basement level, 1-car garage accessed via a concrete and paved driveway extending northerly from Berkeley Street. An enclosed front porch occurs off the southern side of the

house with stairs descending to a concrete driveway. The bituminous concrete driveway occupies much of the backyard, while a concrete patio occurs in the northwest corner of the property. A chain link fence extends along the western, eastern, and southern property boundaries, while a set of granite steps descends to the backyard from the northwestern side of the dwelling. The dwelling and associated appurtenances are surrounded by lawn and landscaped areas. Landscape plants include American holly (*Ilex opaca*), and hibiscus (*Hibiscus* sp.). Individual shade trees and saplings including Norway maple (*Acer platanoides*) and northern red oak (*Quercus rubra*) occur along the northern property boundary. A gradual slope descends north from the northern property boundary toward the adjacent resource area.

Forested uplands occur along the northern property boundary and continues offsite to the northeast. Vegetation within the forested uplands is dominated by Norway maple and red oak, with clusters of white oak (*Quercus alba*), black cherry (*Prunus serotina*),



Southwesterly view of dwelling through forested uplands

and poplar (*Populus* sp.) The understory contains saplings from the canopy with patches of burning bush (*Euonymus alatus*), staghorn sumac (*Rhus typhina*), and multiflora rose (*Rosa multiflora*), with scattered individuals of Japanese barberry (*Berberis thunbergii*), and Japanese knotweed (*Reynoutria japonica*). The sparse groundcover contains scattered grasses (*Poaceae* sp.).

Using a hand-held, Dutch-style soil auger, LEC inspected soil conditions within the low-lying upland areas and observed a 12± inch thick, sandy loam topsoil (A horizon) with a soil matrix color of 10YR 2/2. The topsoil is underlain by an 8+ inch thick, weathered loamy sand subsoil (B_w Horizon) with a soil matrix color of 2.5Y 4/4. No redoximorphic features or other indicators of hydrology were observed. Accordingly, the soil profile is not considered hydric according to *Field Indicators for Identifying Hydric Soils in New England* (Version 4, June 2020, the *Field Indicators Guide*).

2.1 Natural Heritage and Endangered Species Program Designation

According to the 15th Edition of the *Massachusetts Natural Heritage Atlas* (effective August 1, 2021) published by the Natural Heritage & Endangered Species Program (NHESP), no areas of Estimated Habitats of Rare Wildlife or Priority Habitat of Rare Species, or Potential or Certified Vernal Pools exist on or in proximity to the property (Appendix A, Figure 3).

2.2 Floodplain Designation

According to the June 4, 2010 *Federal Emergency Management Agency Flood Insurance Rate Map* for Middlesex County, Massachusetts (Map No: 25017C0416E), the property is located within Zone X [unshaded]: *Areas determined to be outside the 0.2% annual chance floodplain* (Appendix A, Figure 2).

3. Wetland Boundary Determination Methodology

LEC conducted a site evaluation on March 22, 2024 to identify and characterize existing protectable Wetland Resource Areas located on or immediately adjacent to the site, and to delineate the BVW boundary. The extent of Wetland Resource Areas was determined through observations of existing plant communities, and hydrologic indicators, in accordance with the *Act*, its implementing *Regulations*, the *Bylaw*, and the *Bylaw Regulations*.

Based on these methods and review of pertinent maps, LEC delineated the BVW boundary with sequentially numbered, blaze orange surveyor's tape with the words "LEC Resource Area" printed in black, and numbered 1 through 6. LEC flagging stations were surveyed by Rober Survey, and are depicted on the *Conservation Plan* (Appendix B).

3.1 **Plant Species Identification**

LEC identified plant species comprising 5% or more of the vegetative cover along the BVW boundary. Identifications were made to the species level when morphologically possible and were used along with other hydrologic indicators to define the BVW boundary in accordance with definitions and criteria in 310 CMR 10.55(2).

3.1.1. **Identification of Wetland Indicator Species**

The regional wetland indicator status for all identified plant species was obtained from the classification system described in *State of Massachusetts 2016 Wetland Plant List* (Lichvar, R.W, et al. 2016). This classification system divides plant species into ten categories and identifies the wetland indicator status based on the frequency of their occurrence in wetland habitat. These include, in order of lowest to highest frequency within wetlands:

Facultative Upland (FACU),
Facultative (FAC),
Facultative Wetland (FACW),
and Obligate (OBL).

Plant species with a FAC, FACW or OBL wetland indicator status occur in wetlands more than 50% of the time and are considered "wetland indicator plants." Plant species with a FACU wetland indicator status, and those not contained within the list occur in wetlands less than 50% of the time, are not considered "wetland indicator plants." This system of classification has been adopted by the Department of Environmental Protection (DEP) as the definitive source regarding the indicator status of wetland plants.

3.1.2 **Measurement of Relative Abundance**

The relative abundance or percent cover of each plant species occurring along the BVW boundary was determined visually. When completing DEP BVW (310 CMR 10.55) Delineation Field Data Forms, midpoints were utilized to determine the percent cover of each plant species according to the following classification system: 3% = 1-5%; 10.5% =

6-23%; 20.5 = 16-25%; 38% = 26-50%; 63% = 51-75%; 85.5% = 76-95%; and 98% = 96-100%. The purpose of using midpoints is to reduce variability between wetland scientists when visually determining percent cover. Utilizing midpoints does not affect whether a given species within a sample layer will be a dominant plant and is recommended in DEP's handbook, *Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands* (Second edition September 2022).

3.1.3 **Measurement of Vegetative Distribution and Density**

The relative pattern of plant distribution within each vegetative layer (canopy, sapling, shrub, lianas, and groundcover) was visually determined. Plant species within each layer were determined to occur as single plants, patches or clusters, entanglements, or as the dominant plant species. In addition, LEC observed the relative plant density between each vegetation layer, noting whether the sample layer is densely vegetated, contains moderately dense vegetation, is variably dense within the sample layer, or is sparsely vegetated.

3.2 **Evaluation of Edaphic (Soil) Characteristics**

3.2.1 **General Soil Analysis**

Prior to conducting the site evaluation, LEC reviewed United States Geologic Survey (USGS) Topographic Maps and United States Natural Resources Conservation Service (NRCS) Soil Survey Maps. The purpose of this review was to become familiar with the site's general soil characteristics. During site reconnaissance, LEC determined the approximate location of the BVW boundary and determined which areas along the BVW boundary would best represent the upland and wetland portions of the site. Using a Dutch-style, hand-held auger and/or spade, LEC investigated soil conditions within these representative areas by digging a test pit to a depth of at least 20 inches, or refusal. The purpose of this investigation was to confirm and document the difference in soil conditions between the wetland and adjacent upland areas. Specifically, LEC analyzed soil horizon thickness and depth, soil texture, and soil color, noting the presence or absence of redoximorphic features in accordance with *Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands* (Second Edition, September 2022), and *Field Indicators for Identifying Hydric Soils in New England* (June 2020).

3.2.2 **Soil Horizon Thickness and Depth**

LEC noted the presence of all soil layers and horizons (e.g., O, A, E, B, and/or C) and their relative thickness and depth within the test pit. The thickness of the O soil layer

may be directly related to wetness and is critical to the identification of a hydric soil. Specifically, histosols (organic soil layers measuring greater than 16 inches thick) and soils with a histic epipedon (an organic layer between 8 and 16 inches thick) always qualify as hydric soils, provided the hydrology that created these soil conditions still exists and has not been altered. Although not directly related to wetness, the thickness of the A or A_p horizons is a function of the depth of plowing (many of New England's forests today were historically agricultural fields) and/or a function of erosion and deposition of organic matter. Interpreting redoximorphic features within the A or A_p horizons can be difficult given their relatively dark color. Redoximorphic features are best observed in the soil layers beneath the A or A_p horizons.

3.2.3

Soil Texture

Soil texture refers to the relative proportions of sand, silt, and clay particles in the soil. Although there are several standard systems for determining soil texture, LEC utilized the United States Department of Agriculture (USDA) system, because it is widely accepted and referred to in the *Field Indicators Guide* referenced above. Specifically, LEC identified whether the soil is classified as sand, loamy sand, sandy loam, loam, silt loam, silty clay loam, or clay. LEC also estimated the relative proportion of organic matter within the topsoil to determine if the soil is classified as an organic soil. Differences in soil texture affect how water moves through the soil and the type of hydrologic indicators that form when hydric conditions are present during the growing season.

3.2.4

Soil Color

Using the Munsell® Soil Color Charts, LEC examined the hue, value, and chroma of the different soil horizon matrixes (dominant soil color) and redoximorphic features present within the test pits. The purpose of examining the soil color within the A or A_p horizon is to determine whether these horizons are rich in organic material and meet the criteria for dark or very dark. This distinction refers to the relative amount of organic matter within the soil horizon and may indicate the presence of saturated conditions during the growing season.

Within the B and/or C horizons, the soil color and color patterns may indicate the movement of iron and/or other minerals within the soil. The movement and/or concentration of iron and other minerals, such as manganese, may indicate hydric conditions persist during the growing season. Specifically, a soil matrix color with a relatively low chroma (chroma 2 or less) and high value (value 4 or more) due to wetness is often defined as a depleted matrix - the iron and/or other minerals have been removed

or depleted from the soil due to groundwater fluctuations, soil saturation, and reduction. A soil with a depleted matrix due to wetness within the upper 20 inches will likely constitute a hydric soil.

3.2.5

Redoximorphic Features

During the soil evaluation, LEC documented the presence or absence of redoximorphic features within the soil sample. Redoximorphic features are changes in soil color and/or texture that contrast from the matrix color and dominant soil texture and include redox depletions (formerly referred to as “low-chroma mottles”), redox concentrations (formerly referred to as “high-chroma mottles”), nodules, concretions, pore linings, and oxidized rhizospheres. Redoximorphic features form through the processes of reduction, translocation, and oxidation of Fe and Mn oxides when groundwater levels fluctuate near the soil surface. Commonly observed redoximorphic features include redox depletions, occurring when minerals in the soil are reduced or removed, and redox concentrations or soil masses, occurring when minerals accumulate. Less commonly observed redoximorphic features include nodules and concretions, which are hardened, cemented soil masses. Pore linings are localized areas of brightly colored soils located adjacent to a pore within the soil. Oxidized rhizospheres are a form of pore lining that occurs on the surface of live roots of certain plants.

4.

Wetland Resource Areas

Wetland Resource Areas associated with the site are limited to Bordering Vegetated Wetlands. The 100-foot Buffer Zone extends from the BVW boundary. The Wetland Resource Areas are further described below.

4.1

Bordering Vegetated Wetlands

According to the *Act Regulations* [310 CMR 10.55(2)], Bordering Vegetated Wetlands are defined as: *freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes...Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants...The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.*

According to the *Bylaw Regulations* [Section 22 B. (1) and (2)], Vegetated Wetlands are freshwater wetlands, including both bordering vegetated wetlands (i.e., bordering on freshwater bodies such as on creeks, rivers, streams, ponds and lakes), and isolated vegetated wetlands which do not border on any permanent water body. The types of freshwater wetlands are wet meadows, marshes, swamps, bogs and vernal pools. Vegetated Wetlands are areas where soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The ground water and surface water hydrological regime, soils and the vegetational community which occur in each type of freshwater wetlands, including both bordering and isolated vegetated wetlands, are defined under the Bylaw based on G.L. c. 131, § 40. (2) The boundary of Vegetated Wetland, whether Bordering or Isolated, is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants shall include but not necessarily be limited to those plant species identified in the Act.



Easterly view of the BVW and the Minuteman Bike Path.

A forested wetland occurs north of the property, on town-owned land. Vegetation within the forested wetland includes a canopy dominated by red maple (*Acer rubrum*), with clusters of American elm (*Ulmus americana*). The understory is dominated by saplings

from the canopy and glossy buckthorn (*Frangula alnus*), with patches of ash (*Fraxinus* sp.), nannyberry (*Viburnum lentago*), and individuals of sapling black birch (*Betula lenta*). The ground cover contains patches of cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), and poison ivy (*Toxicodendron radicans*). Entanglements of Asiatic bittersweet (*Celastrus orbiculatus*), and grape (*Vitis* sp.) occur in patches.

LEC inspected soils within the BVW using a hand-held, Dutch-style auger and observed an 11± inch thick, mucky sandy loam topsoil (A horizon), with a soil matrix color of 10YR 2/2. The topsoil is underlain by an 8+ inch thick, depleted sandy loam subsoil (B_g Horizon) with a soil matrix color of 10YR 4/2. Redoximorphic concentrations of 10YR 4/4 and depletions of 10YR 5/2 were observed within 12 inches of the soil profile. This soil profile is considered 'hydric' in accordance with the *Field Indicators Guide* as it meets the indicator A11: Depleted Below Dark Surface.

5. Proposed Activities

The Applicants propose to construct a roughly 15' x 26.1' (403± square foot) addition off the rear of the existing dwelling. Two sets of stairs will extend from the addition and provide access to a proposed 12' x 12' patio and the backyard. The footprint of the proposed activities is entirely contained within the existing pavement and lawn/landscaped land behind the dwelling. The addition and patio are located closer to the BVW than the existing structure; however, they will be located outside the 50-foot No-Structure Zone, and farther from the wetland than the existing concrete patio and paved driveway. The addition will be supported by a concrete foundation and measure 60.8± feet from the wetland boundary at its closest point (LEC flag #1). The patio will measure 56.1± from the wetland boundary at its closest point (LEC flag #1).

The Applicants propose to remove 931± square feet of the driveway located within the 50-foot and 100-foot Buffer Zones. The existing 61± square-foot concrete patio that is located within the 25-foot No Disturbance Zone will also be removed.

While the proposed addition measures 403± square feet, and the proposed patio measures 144± square feet, the impervious area within the Buffer Zone decreases by 760± square feet (from 2,085± to 1,325± square feet). This is achieved by reducing the footprint of the driveway by 931± square feet and eliminating the 61± square-foot concrete patio. These areas will be converted to lawn and/or incorporated into the Buffer Zone replanting area. No tree removal is proposed as part of the project. The Applicants also propose to install a new landing and stairs for the front porch of the house; however, these activities are located outside the 100-foot Buffer Zone.

6. Mitigation Measures

The Applicants intend to implement erosion controls to protect the resource areas during construction, reduce impervious surface, and install native Buffer Zone restoration plantings to improve existing site conditions and promote climate resiliency. These mitigating measures are intended to meet or exceed the regulatory requirements enumerated in the *Act Regulations* and the *Bylaw Regulations*. A description of each of these mitigating measures is provided below.

6.1 Erosion and Sedimentation Control

The Applicants propose to implement an erosion control program to protect the BVW and adjacent properties from sedimentation during construction activities. The plan for the control of potential impacts to the adjacent Wetland Resource Areas is based on DEP guidelines and will be comprised of staked compost filter tubes surrounding the proposed work area. The compost filter tubes will be installed along the limit of work line around the proposed addition and the sides of the dwelling and driveway. All erosion control measures will remain in place until disturbed areas are stabilized by vegetation. The location of the proposed erosion controls is shown on the *Conservation Plan* (Appendix B).

6.2 Impervious Surface Reduction

The Applicants propose to reduce the amount of impervious area on site by 760± square feet, resulting in an improvement in the site's ability to manage and infiltrate stormwater compared to existing conditions.

6.3 Buffer Zone Restoration

In order to further mitigate for the proposed activities, the Applicants propose to install native restoration plantings within the 25-foot Buffer Zone. Specifically, 356± square feet of 25-foot Buffer Zone will be restored by removing the concrete patio and surrounding lawn, and installing native shrubs and groundcover plants. LEC will submit a *Buffer Zone Restoration Plan* detailing the effort in advance of the public hearing. This restoration effort intends to improve the function and value of the Buffer Zone compared to existing conditions by establishing a native restoration area within the northern portion of the property. No landscape cultivars will be used.



Northerly view of area to be restored to native vegetation.

This mitigation along with the reduction in impervious surface will improve the natural capacity of the Buffer Zone to protect and promote the interests of the *Act* and the *Bylaw*, and is commensurate with the size and scope of the proposed project.

The restoration area

will be monitored for survivability for three growing seasons by a qualified consultant as specified in the *Bylaw Regulations*.

7. Regulatory Performance Standards

The *Bylaw Regulations* provide additional standards for climate resiliency. Citations of the pertinent performance standards are provided below, along with a description of how the project meets these standards.

7.1 General Climate Resiliency

The Bylaw Regulations (Section 32 C) states that: The Applicants shall, to the extent practicable and applicable as determined solely by the Commission, integrate considerations of adaptation planning into their project to promote climate change resilience so as to protect and promote resource area values into the future. These considerations are especially important in Land Subject to Flooding (floodplain) and Riverfront Area and other Resource Areas which protect the interest of Flood Control and Storm Damage Prevention, including Adjacent Upland Resource Areas. These Resource Areas may be directly impacted by extreme weather events expected to be more prevalent or more intense due to climate change, in surface runoff of pollutants, and in wildlife habitat due to changes in temperature.

Section 32E. states that: *each project shall include at least the following measures to mitigate climate change impacts and adapt to changed climatic conditions. The Applicants shall address the following in writing in their application:*

(1) Describe project design considerations and measures to limit storm and flood damage during extended periods of disruption and flooding as might be expected in extreme weather events, using the FEMA 500-year flood elevation to represent extreme weather event flood levels, depending on the size and nature of the project. Project design considerations may include but not be limited to stormwater mitigation measures sized for increased precipitation expected due to climate change, 2:1 compensatory flood storage replacement, and 2:1 or higher tree replacement/plantings, See Land Subject to Flooding Section 24, Vegetative Wetlands Section 25, Adjacent Upland Resource Area Section 26, and Stormwater Management Section 33 of these Regulations.

The Applicants propose to construct an addition that is entirely within the footprint of the paved driveway and adjacent lawn, resulting in a relatively insignificant change compared to existing conditions. Roughly 931± square feet of existing pavement within the 50-foot No Disturbance Zone and 100-foot Buffer Zone will be removed, and the 61± square-foot concrete patio within the 25-foot Buffer Zone will be removed. This effort, combined with the proposed addition and patio results in a net 760± square-foot decrease of impervious area within the Buffer Zone. The Applicants also propose to restore the entire 25-foot Buffer Zone (365± square feet) with native vegetation. The proposed mitigation measures are commensurate with the limited scope of the project, and provide an improvement to the site compared to existing conditions.

(2) Calculate project stormwater surface runoff that is expected to increase due to extreme weather events using NOAA 14 Plus Plus rainfall data (see definition in Section 4) and how this will be managed and mitigated to prevent pollution (including nutrients from fertilizers, roadway runoff, etc.) from entering the resource area in the future, with consideration of eliminating or decreasing impervious surfaces as much as feasible. Project design considerations may include but not be limited to stormwater mitigation measures sized for increased precipitation expected due to climate change. See Stormwater Management Section 33 of these Regulations.

The Applicants propose to reduce the amount of impervious area on site by 760± square feet, resulting in an improvement in the site's ability to manage and infiltrate stormwater compared to existing conditions.

(3) Describe project vegetation/planting plans and any other measures to improve the resiliency of the resource areas to provide resource area values including but not limited to wildlife habitat; that is, to enable resource areas to withstand extreme precipitation/rainfall changes (drought and excess) and extreme temperatures including extreme heat due to climate change. Project design considerations may include but not be limited to diversity and abundance of replacement plantings and consideration of shading and cooling. See Vegetation Removal and Replacement Section 25 of these Regulations.

The Applicants will implement the *Buffer Zone Restoration Plan*, which specifies many native plants for the entire, 356± square-foot 25-foot No Disturbance Zone. This effort will improve wildlife habitat for pollinator species and increase the vegetated land adjacent to the wetland.

(4) Describe project considerations and measures to avoid, minimize, and mitigate for extreme heat effects in resource areas. Project design considerations may include but not be limited to reducing impervious surfaces, increasing or maintaining naturally vegetated surfaces, increasing tree canopy, consideration of shading of structures.

As discussed above, the Applicants propose to increase the amount of naturally vegetated surfaces by implementing a Buffer Zone restoration plan, including the installation of native shrubs and groundcover plants. The addition of native plants and reduction in impervious surface will also mitigate for extreme heat effects.

(5) Describe any additional measures to avoid, minimize, and mitigate for climate change impacts and adapt to changed climatic conditions that are in addition to (1) through (4) above.

No additional climate resiliency measures are proposed beyond those described above.

7.2

Stormwater Management Compliance

As a single-family lot, the project is not required to meet the MA DEP Stormwater Management Standards. Additionally, the project results in a net decrease of impervious surface by removing existing pavement within the 50-foot and 100-foot Buffer Zones.

Stormwater management design for all projects (including projects that do not require a Stormwater Management Report under 310 CMR 10.05 (6)(k) or projects that are exempt under Arlington's Stormwater Management Rules and Regulations) specified in a request

Arlington Regulations for Wetlands Protection for determination of applicability or an application for a permit shall accomplish the following:

(1) Not exacerbate or create flooding conditions and shall not result in an increase in the peak rate of stormwater runoff over existing conditions during storm events.

The Applicants propose a decrease in the amount of impervious surface on the site, and therefore, will not create flooding conditions or result in an increase in the peak rate of stormwater runoff. By way of converting existing pavement and concrete to vegetated land, the Applicants are reducing stormwater runoff velocity through the site compared to existing conditions. Given the modest size of the addition, and the mitigation measures mentioned above, LEC does not anticipate the project exacerbating or creating flooding conditions.

(2) Reduce stormwater pollution to the maximum extent possible. Low Impact Development techniques listed in the Massachusetts Stormwater Handbook, (LID BMPs) should be prioritized for their positive impact on overall site climate change resilience, improvements to water quality, and ability to handle water quantity. Depending upon the type of project proposed, this may include but not be limited to reduction in impervious surfaces, bio-retention (rain gardens), and infiltration systems.

The majority of stormwater run-off from this site is from roof areas, which is considered 'clean' stormwater run-off. The potential for stormwater pollution is limited to stormwater run-off from the existing driveway, which will be significantly reduced in size compared to existing conditions.

(3) Have a written operation and maintenance plan to inspect, properly maintain, and repair installed BMPs after project completion to ensure they are functioning according to the design intent in perpetuity.

The only stormwater 'BMPs' proposed on the site are a reduction in impervious surface. This item is not applicable to the project.

8. Summary

On behalf of the Applicants and Property Owners, Cheri and Brendan Driscoll, LEC is filing the enclosed NOI Application with the Arlington Conservation Commission to construct an addition, patio, and conduct associated activities at 29 Berkeley Street in

Arlington. The proposed activities are located within the 100-foot Buffer Zone to Bordering Vegetated Wetlands, as jurisdictional under the *Act*, its implementing *Regulations*, and the *Bylaw* and *Bylaw Regulations*.

The Applicants propose to implement mitigation measures, including erosion controls to protect the adjacent properties and resource areas during construction, a reduction in impervious surface, and Buffer Zone Restoration to improve existing site conditions and promote climate resiliency. The project, including the proposed mitigating measures, meets the performance standards enumerated in the *Act Regulations*, and the *Bylaw Regulations*, and the Applicants request that the Commission issue an Order of Conditions approving the project as proposed herein.

Arlington Conservation Commission, *Town of Arlington Wetlands Protection Bylaw* (Article 8) Town of Arlington, Massachusetts.

Massachusetts Department of Environmental Protection, Division of Wetlands and Waterways *Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands* (Second Edition, September 2022)

Massachusetts Natural Heritage and Endangered Species Program Atlas of Estimated Habitat of State-listed Rare Wetlands Wildlife, Natural Heritage & Endangered Species Program, Massachusetts Division of Fisheries & Wildlife, Route 135, Westborough, MA 01581, www.state.ma.us/dfwele/dfw

Massachusetts Wetlands Protection Act (M.G.L. c. 131, §. 40), www.state.ma.us/dep
Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00),
www.state.ma.us/dep

National Flood Insurance Program, Federal Emergency Management Agency Flood Insurance Rate Map (Map Number 25017C0416E), Middlesex County, June 4, 2010.

New England Hydric Soils Technical Committee. 2020, 4th ed., *Field Indicators for Identifying Hydric Soils in New England*.

The State of Massachusetts 2016 Wetland Plant List (Lichvar, R.W, et al. 2016). US Army Corps of Engineers

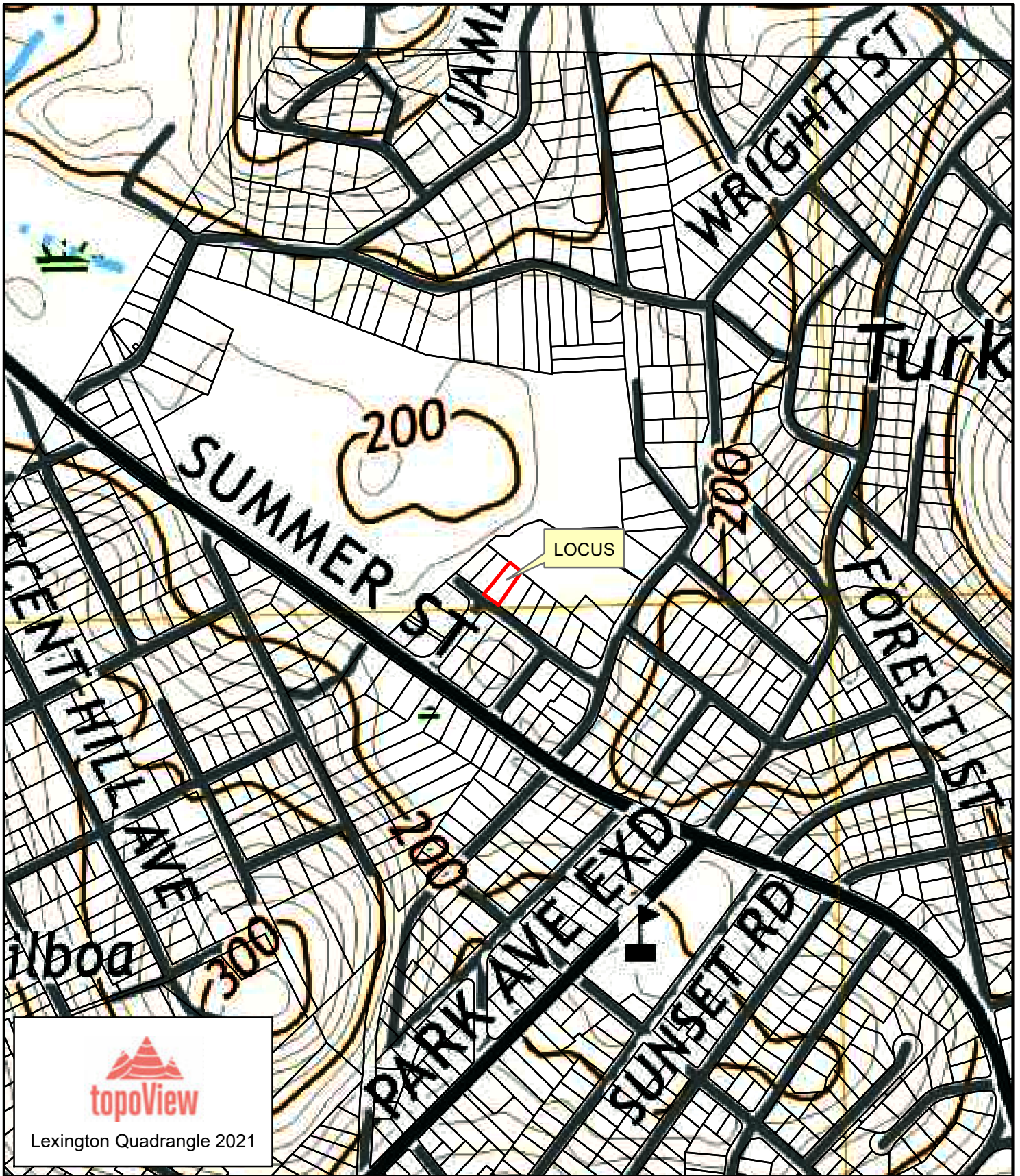
Appendix A

Locus Maps

Figure 1: USGS Topographic Quadrangle

Figure 2: FEMA Flood Insurance Rate Map

Figure 3: MassGIS Orthophoto & NHESP Estimated Habitat Map



LEC

Environmental Consultants, Inc.

Wakefield, MA
781.245.2500

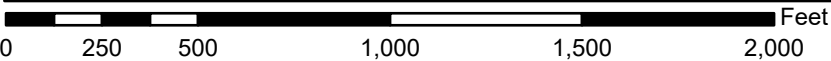
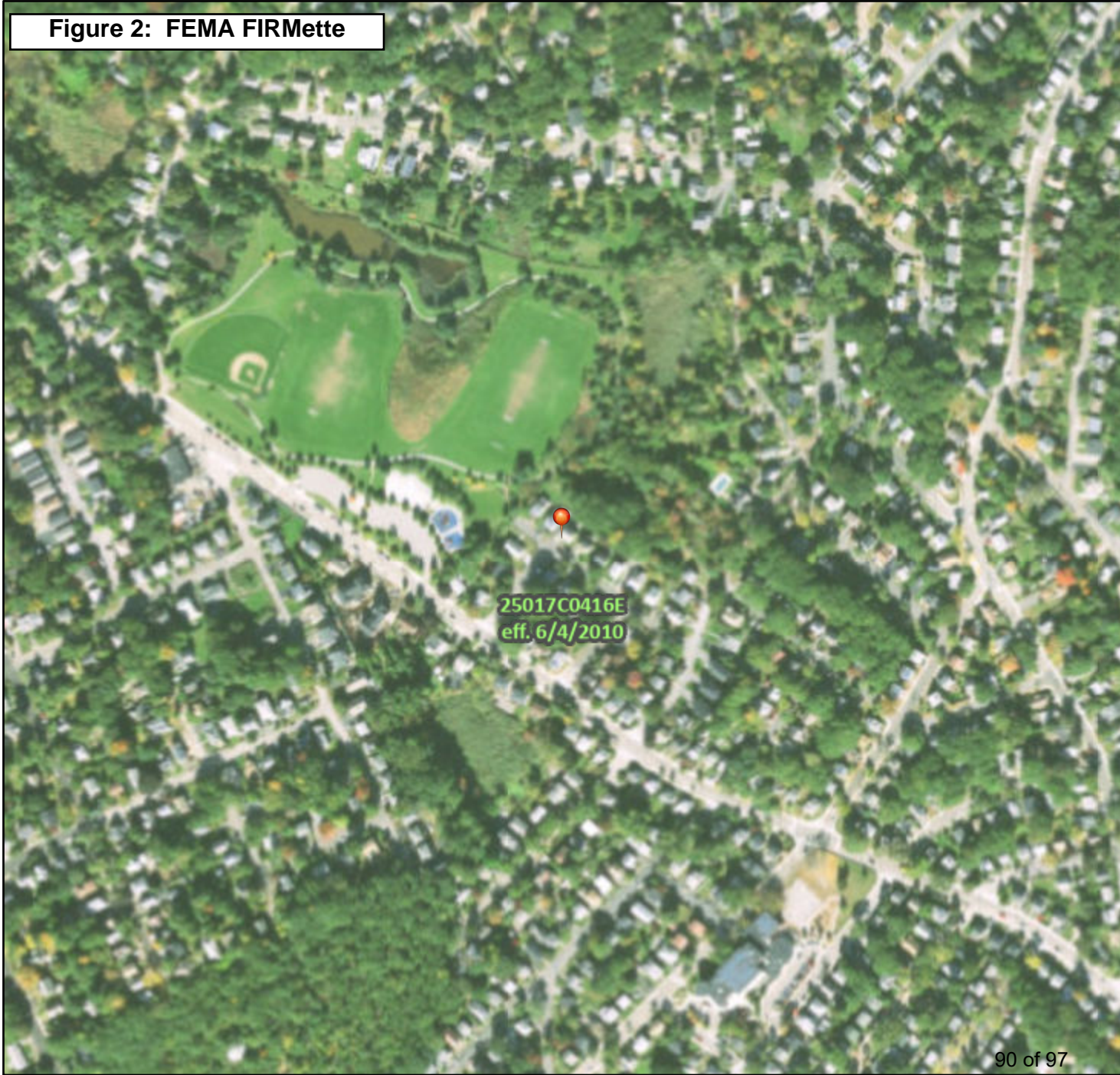
www.lecenvironmental.com

National Flood Hazard Layer FIRMette



71°11'6"W 42°26'7"N

Figure 2: FEMA FIRMette



1:6,000

90 of 97

71°10'29"W 42°25'41"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

| | | |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee. See Notes. Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/20/2024 at 5:51 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



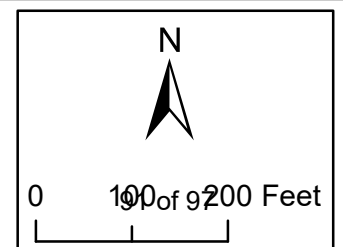
Environmental Consultants, Inc.

Wakefield, MA
781.245.2500

www.lecenvironmental.com

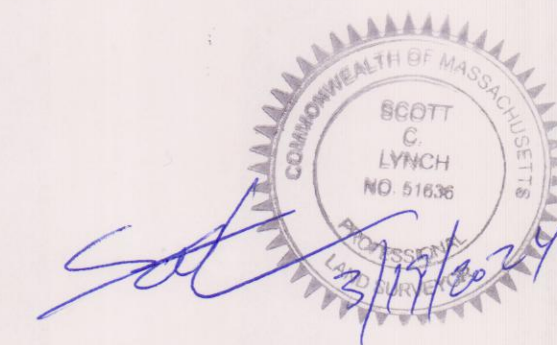
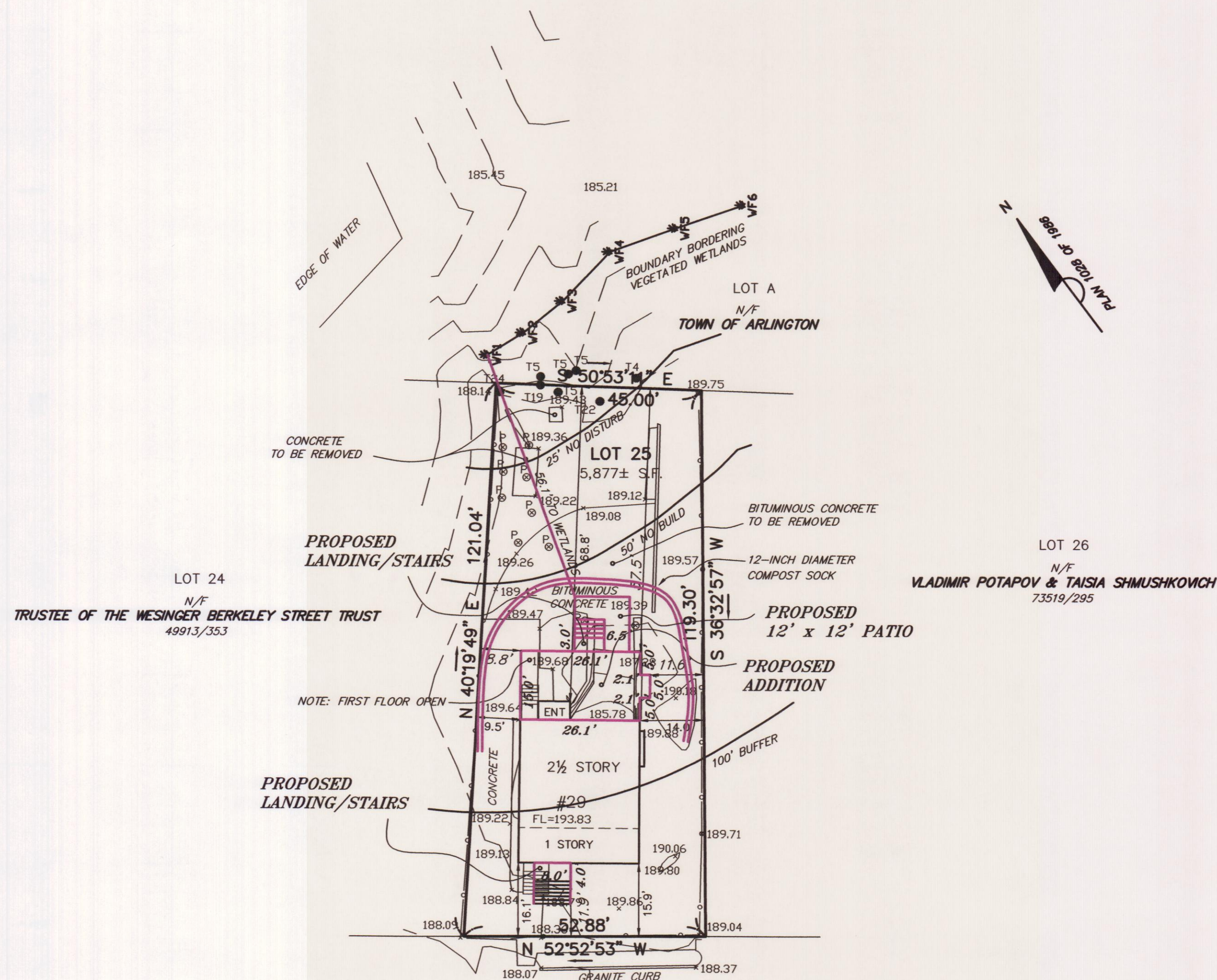
Figure 3: MassGIS Orthophoto & NHESP Map
29 Berkeley Street
Arlington, MA

May 1, 2024



Appendix B

Conservation Plan,
dated March 19, 2024, prepared by Rober Survey



OWNER: CHERI & BRENDAN DRISCOLL

WITHIN 100' BUFFER

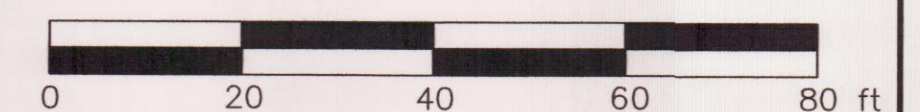
| | |
|--------------------------|-------------------|
| TOTAL BUFFER AREA | 4,276± S.F. |
| EXISTING IMPERVIOUS AREA | 2,085± S.F. 48.7% |
| PROPOSED IMPERVIOUS AREA | 1,325± S.F. 30.9% |

AREA OF CONCRETE TO BE REMOVED - 61.2± S.F.
 AREA OF BITUMINOUS CONCRETE TO BE REMOVED - 931± S.F.
 AREA OF NEW ADDITION - 403± S.F.
 AREA OF 25' NO DISTURBANCE ZONE - 356

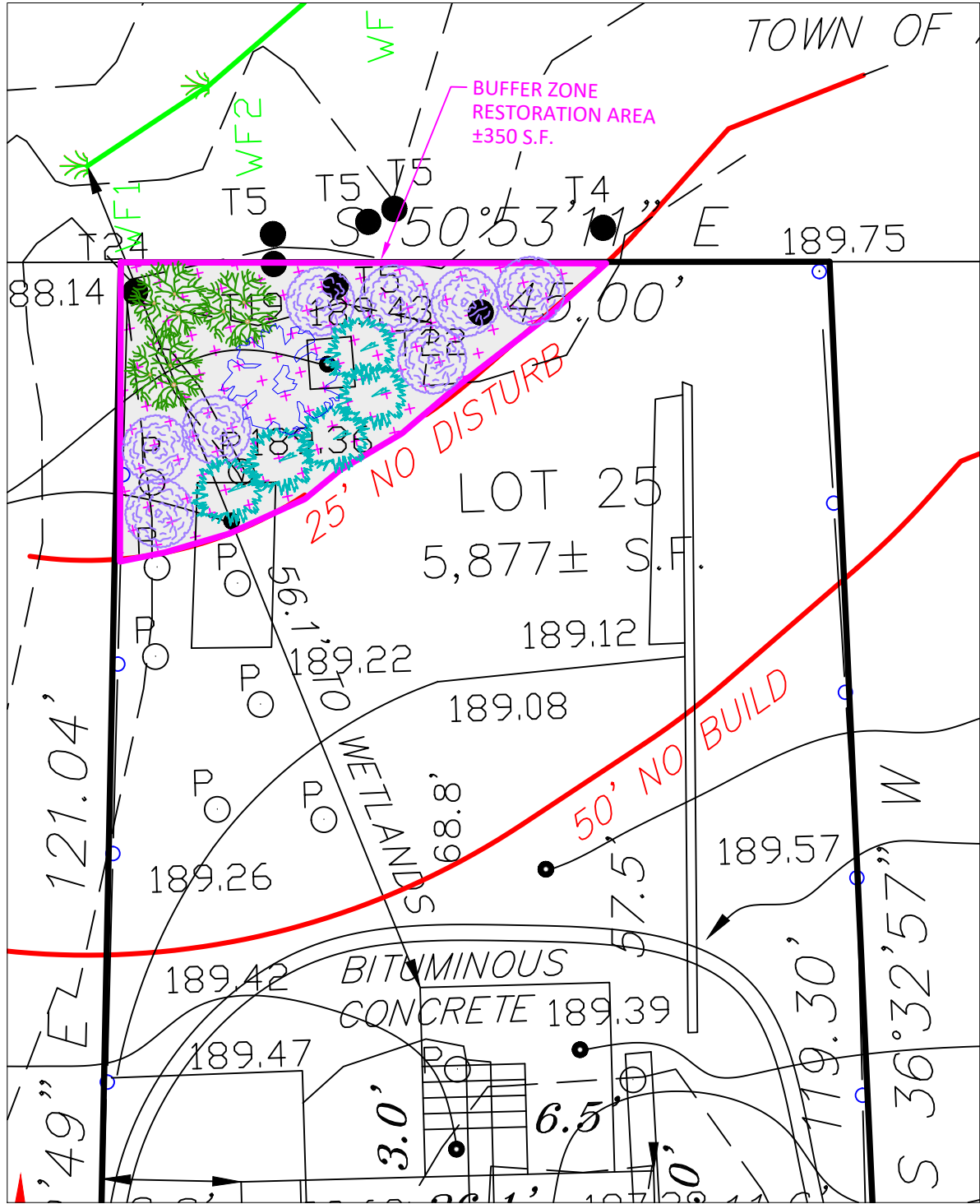
NOTE: WETLAND BOUNDARY LINE DELINEATED BY LEC ENVIRONMENTAL, MARCH 2024.

**CONSERVATION PLAN
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)**

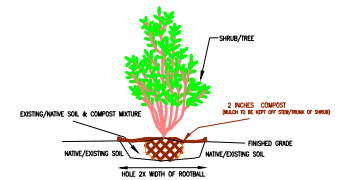
SCALE: 1"= 20' DATE: MARCH 19, 2024



ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533
 7441PL1.DWG

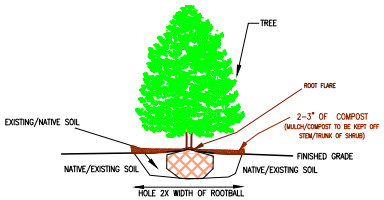


UPLAND SHRUB PLANTING DETAIL
(NOT TO SCALE)



EXCAVATE HOLE TO THE APPROXIMATE DEPTH FOR THE ROOT BALL.
PREVENT BURYING OF ROOT FLARE WHERE THE FIRST MAIN ROOTS
ATTACH TO THE TRUNK.
GENTLY LOOSEN EXPOSED ROOTS AS NECESSARY.
WATER THOROUGHLY UNTIL ROOTBALL AND SURROUNDING SOIL
IS COMPLETELY SATURATED.
PLANTS THAT PREFER ACIDIC ORGANIC RICH SOIL (E.G. AZALEAS, RHODODENDRONS)
SHALL INCLUDE PEAT IN SOIL AMENDMENT AND/OR ON SURFACE BENEATH MULCH.

UPLAND TREE PLANTING DETAIL
(NOT TO SCALE)



EXCAVATE HOLE TO THE APPROXIMATE DEPTH FOR THE ROOT BALL.
PREVENT BURYING OF ROOT FLARE WHERE THE FIRST MAIN ROOTS
ATTACH TO THE TRUNK.
GENTLY LOOSEN EXPOSED ROOTS AS NECESSARY.
WATER THOROUGHLY UNTIL ROOTBALL AND SURROUNDING SOIL
IS COMPLETELY SATURATED.
PLANTS THAT PREFER ACIDIC ORGANIC RICH SOIL (E.G. AZALEAS, RHODODENDRONS)
SHALL INCLUDE PEAT IN SOIL AMENDMENT AND/OR ON SURFACE BENEATH MULCH.

| PLANTING SPECIFICATIONS | | | | | |
|-------------------------|--------------------------|----------------------|-----------|--|------------------------|
| | COMMON NAME | GENUS/SPECIES | SIZE | PLANTING SPECIFICATIONS | NUMBER OF EACH SPECIES |
| | SHRUBS | | | | |
| | witchhazel | Hamamelis virginiana | 2-3' min. | clusters of 3-7, spaced 4-6' on-center | 3 |
| | sweet pepperbush | Clethra alnifolia | 2-3' min. | clusters of 3-7, spaced 4-6' on-center | 3 |
| | nannyberry | Viburnum lentago | 2-3' min. | clusters of 3-7, spaced 4-6' on-center | 8 |
| | Alternate leaved dogwood | Cornus alterniflora | 2-3' min. | clusters of 3-7, spaced 4-6' on-center | 1 |
| | Total Shrubs | | | | 15 |

ALL PLANTINGS SHALL BE NATIVE VARIETIES WITH NO LANDSCAPE CULTIVARS PROPOSED.

MITIGATION PLANTING AREA NOTES

THE LIMITS OF THE PLANTING AREA SHALL BE STAKED IN THE FIELD AND CERTIFIED TO BE ACCURATELY LOCATED BY A PLS.

EROSION CONTROLS SHALL BE ESTABLISHED AT THE LIMIT OF WORK.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING DIGSAFE PRIOR TO WORK ACTIVITY.

THIS MITIGATION PLANTING PLAN IS SOLELY INTENDED TO BE USED FOR MITIGATION PLANTING RELATED WORK ACTIVITY ONLY.

ANY SUBSTITUTE SPECIES SHALL BE APPROVED BY THE WETLAND SCIENTIST.

PLANTS SHALL BE PROTECTED FROM THE WIND/COVERED WHEN TRANSPORTED TO THE SITE.

THE SPECIFIC LOCATIONS OF PLANTINGS SHALL BE OVERSEEN BY THE WETLAND SCIENTIST.

SHOULD PLANTS BE STOCKPILED TEMPORARILY, THEY SHALL BE WATERED APPROPRIATELY AND STORED IN THE SHADE.

TEMPORARY FENCING/BARRIERS OR OTHER PLANT PROTECTION MEASURES MAY BE CONSIDERED TO LIMIT ANIMAL BROWSING BY RABBITS, VOLES, DEER, ETC. IMPLEMENTING THESE MEASURES MAY IMPROVE SUCCESS RATE OF PLANTINGS DURING THE MONITORING PERIOD.

A ONE TIME 2 INCH APPLICATION OF LEAF COMPOST MULCH SHALL BE APPLIED TO THE DRIP LINE OF PROPOSED PLANTINGS.

WATERING NOTES

A DEEP SOAKING IS RECOMMENDED THE SAME DAY AS PLANTS ARE INSTALLED.

FOR THE FIRST MONTH AFTER PLANT INSTALLATION, A DEEP WATERING IS RECOMMENDED APPROXIMATELY TWICE A WEEK DEPENDING ON FREQUENCY OF RAIN EVENTS AND TIME OF SEASON.

GENERAL SUGGESTED WATERING FREQUENCY AFTER FIRST MONTH AND DURING THE FIRST GROWING SEASON: A DEEP SOAKING OF THE ROOT ZONE ONCE A WEEK IN SPRING AND FALL. TWICE A WEEK DURING THE HOTTEST PORTION OF SUMMER.

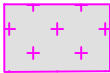
AN ADEQUATE WATERING REPLACEMENT RAIN EVENT IS APPROXIMATELY A MINIMUM OF A HALF INCH OF RAINFALL.

WATERING IS RECOMMENDED IN THE EARLY MORNING HOURS.

A DEEP SOAKING MEANS INCLUDING THE SOAKING OF THE ENTIRE ROOT BALL AND THE IMMEDIATE SURROUNDING SOIL.

A REDUCTION IN THE FREQUENCY OF WATERING IS RECOMMENDED AFTER THE FIRST YEAR. RESUME WATERING PROGRAM AS NECESSARY DURING SECOND GROWING SEASON WHEN PERIODS OF DROUGHT OR DURING EXTENDED DRY PERIODS.

THE ABOVE SHALL ONLY BE APPLIED IN ACCORDANCE WITH LOCAL WATERING REQUIREMENTS/REGULATIONS.

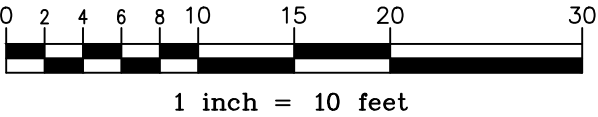


MITIGATION SEEDMIX

Partially Shaded Area Roadside Mix
(From: ERNST Seeds, Inc.)
(Application Rate: 20 lbs./acre)

- 49.7% Schizachyrium scoparium, Fort Indiantown Gap-PA Ecotype (Little Bluestem, Fort Indiantown Gap-PA Ecotype)
- 16.8% Elymus virginicus, PA Ecotype (Virginia Wildrye, PA Ecotype)
- 9.0% Echinacea purpurea (Purple Coneflower)
- 6.5% Elymus hystrix, PA Ecotype (Bottlebrush Grass, PA Ecotype)
- 3.5% Chamaecrista fasciculata, PA Ecotype (Partridge Pea, PA Ecotype)
- 3.0% Rudbeckia hirta (Blackeyed Susan)
- 2.0% Helipopsis helianthoides, PA Ecotype (Oxeye Sunflower, PA Ecotype)
- 1.3% Zizia aurea, PA Ecotype (Golden Alexanders, PA Ecotype)
- 1.2% Pycnanthemum tenuifolium (Narrowleaf Mountainmint)
- 1.0% Penstemon digitalis, PA Ecotype (Tall White Beardtongue, PA Ecotype)
- 0.9% Tradescantia ohioensis, PA Ecotype (Ohio Spiderwort, PA Ecotype)
- 0.6% Liatris spicata, PA Ecotype (Marsh Blazing Star, PA Ecotype)
- 0.5% Baptisia australis, Southern WV Ecotype (Blue False Indigo, Southern WV Ecotype)
- 0.5% Geum canadense, PA Ecotype (White Avena, PA Ecotype)
- 0.4% Asclepias tuberosa, PA Ecotype (Butterfly Milkweed, PA Ecotype)
- 0.4% Aster lateriflorus (Calico Aster)
- 0.4% Aster macrophyllus, PA Ecotype (Bigleaf Aster, PA Ecotype)
- 0.4% Monarda fistulosa, Fort Indiantown Gap-PA Ecotype (Wild Bergamot, Fort Indiantown Gap-PA Ecotype)
- 0.3% Asclepias syriaca, PA Ecotype (Common Milkweed, PA Ecotype)
- 0.3% Oenothera fruticosa var. fruticosa (Sundrops)
- 0.2% Aquilegia canadensis (Eastern Columbine)
- 0.2% Aster prenanthoides, PA Ecotype (Zigzag Aster, PA Ecotype)
- 0.2% Penstemon laevigatus, PA Ecotype (Appalachian Beardtongue, PA Ecotype)
- 0.2% Solidago bicolor, PA Ecotype (White Goldenrod, PA Ecotype)
- 0.1% Aster pilosus, PA Ecotype (Heath Aster, PA Ecotype)
- 0.1% Penstemon hirsutus (Hairy Beardtongue)
- 0.1% Solidago juncea, PA Ecotype (Early Goldenrod, PA Ecotype)
- 0.1% Solidago nemoralis, PA Ecotype (Gray Goldenrod, PA Ecotype)
- 0.1% Solidago odora, PA Ecotype (Lorice Scented Goldenrod, PA Ecotype)

PLAN SCALE



Buffer Zone
Restoration
Planting Plan

29 Berkley Street
Arlington, MA

Dated: 5/2/2024

PREPARED BY:

LEC
Environmental Consultants, Inc.

100 Grove Street
Suite 302
Worcester, MA 01605
508-753-3077
508-753-3177 Fax
email: northlec@leccenvironmental.com
www.leccenvironmental.com



SCALE: 1" = 10'
(11 x17" Print Size)

LEC File:



Plan adapted by:
LEC Environmental Consultants, Inc.
from plan entitled:

Proposed Site Plan

CONSERVATION PLAN
IN
ARLINGTON, MA
(MIDDLESEX COUNTY)
SCALE: 1" = 20' DATE: MARCH 19, 2024

Prepared by:

ROBER SURVEY
1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
7441PL1.DWG

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Caralyea M. Landry, Trustee

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Town Hall

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Jeff D. & Kim Paradiso, Trustees

Paradiso Living Trust

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Ian Gosling

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Vladimir Potapov

Taisia Shmushkovich

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Karen M. Schwartz

Andrew B. Wellnitz

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Stephen Chang

38 Berkeley Street

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Amy H. & John C. Anderson, TRS

37 Berkeley Street Realty Trust

37 Berkeley Street

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Rosemarie Wesinger, TRS

Wesinger Berkeley St Trust

33 Berkeley Street

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Jonathan & Emily Pisarski

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Order Confirmation

Not an Invoice

| | |
|--------------------------|---|
| Account Number: | 696062 |
| Customer Name: | Lec Environmental Consultants, Inc. |
| Customer Address: | Lec Environmental Consultants, Inc. 12 RESNIK RD., SUITE. 1 PLYMOUTH MA 02360 |
| Contact Name: | Lec Environmental Consultants, |
| Contact Phone: | 5087469491 |
| Contact Email: | |
| PO Number: | |

| | |
|---------------------------|------------|
| Date: | 05/01/2024 |
| Order Number: | 10143875 |
| Prepayment Amount: | \$ 0.00 |

| | |
|--------------------------|---------|
| Column Count: | 1.0000 |
| Line Count: | 70.0000 |
| Height in Inches: | 0.0000 |

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| Product | #Insertions | Start - End | Category |
|-----------------------------|-------------|-------------------------|----------------|
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| Tax Amount | \$0.00 |
| Service Fee 3.99% | \$6.09 |
| Cash/Check/ACH Discount | -\$6.09 |
| Payment Amount by Cash/Check/ACH | \$152.60 |
| Payment Amount by Credit Card | \$158.69 |

| | |
|----------------------------------|-----------------|
| Order Confirmation Amount | \$152.60 |
|----------------------------------|-----------------|

Ad Preview

29 BERKELEY STREET LEGAL NOTICE TOWN OF ARLINGTON CONSERVATION COMMISSION

The Conservation Commission will hold a public hearing to consider a NOTICE OF INTENT (NOI) APPLICATION to construct an addition to a single-family dwelling, patio, and associated site appurtenances at 29 Berkeley Street, within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

The meeting will be conducted by remote participation through a Zoom virtual meeting on Thursday, May 16, 2024, beginning at 7:00 p.m., in accordance with the provisions of the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131 s.40, as amended), the Arlington By-Law for Wetlands Protection (Title V, Article 8), and in accordance with Chapter 2 of the Acts of 2023, which extends certain COVID-19 measures regarding remote participation in public meetings until March 21, 2025.

The NOI is a formal application to the Conservation Commission for permission to carry out work in a wetland resource area. The Conservation Commission will hold a public hearing to hear from the applicant and the public about the NOI. If you have any questions or concerns about the proposal, you can attend the meeting and speak to the Conservation Commission. To attend the meeting, you will need to use a computer or phone to connect to Zoom. You can find the Zoom meeting information on the Conservation Commission's website.

Please contact the Conservation Commission with any questions at 781-316-3012, or email concomm@town.arlington.ma.

Charles Tirone, Chair

#10143875
Advocate & Star 5/9/24